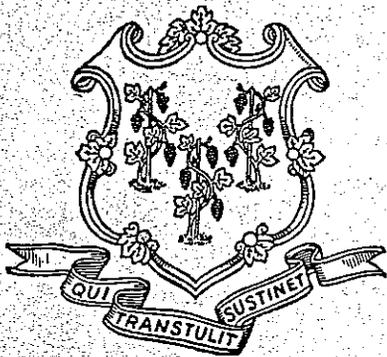


**STATE
PROTECTIVE
SERVICES**

**Connecticut
General Assembly**



**LEGISLATIVE
PROGRAM REVIEW
AND
INVESTIGATIONS
COMMITTEE**

JANUARY 1992

**CONNECTICUT GENERAL ASSEMBLY
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 to evaluate the efficiency, effectiveness, and statutory compliance of selected state agencies and programs, recommending remedies where needed. In 1975, the General Assembly expanded the committee's function to include investigations, and during the 1977 session added responsibility for "sunset" (automatic program termination) performance reviews. The committee was given authority to raise and report bills in 1985.

The program review committee is composed of 12 members. The president pro tempore of the senate, the senate minority leader, the speaker of the house, and the house minority leader each appoint three members.

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STATE PROTECTIVE SERVICES

**LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS
COMMITTEE**

JANUARY 1992

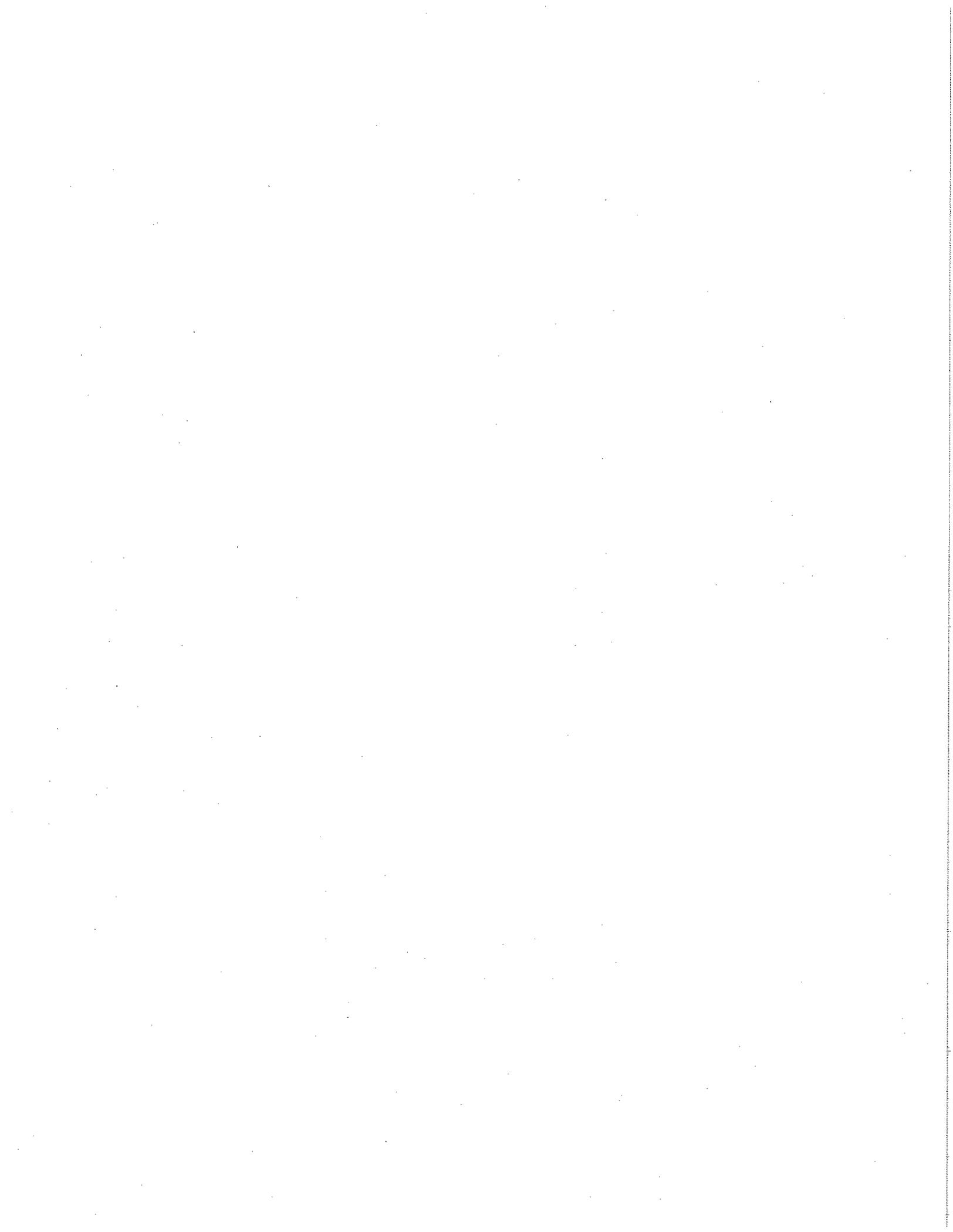


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EXECUTIVE SUMMARY

In January 1991, the Legislative Program Review and Investigations Committee authorized a study of state protective services. The broad scope of the study was state employees with arrest powers, particularly individuals with special police powers obtained from the commissioner of public safety under C.G.S. Sections 29-18 through 29-18c. Also included in the review were special deputy sheriffs responsible for courtroom security.

A major concern of the committee was the question of operational control when the person granting arrest powers did not have day-to-day responsibility for the performance of the individual receiving such powers. Of equal importance was the threshold question of the need for arrest authority to carry out the functions performed by these state employees.

The employees examined as part of the study share the common power of arrest, but the functions they perform vary widely. Two major functional categories are identifiable: public safety and regulatory enforcement. The former encompasses the safety and security of people and property, with enforcement activities performed as needed; the latter targets enforcement of governmental restrictions on particular subject areas.

Differences among departments using agency police affect conclusions about need. One significant element to the program review committee was the presence of a custodial, residential component, but other factors, for example, federal aviation requirements, were also identified.

The program review committee concluded general special police powers under C.G.S. Sec. 29-18 should continue to be issued by the commissioner of public safety. However, the process and the responsibilities of the various participants involved in the issuance of special police powers need to be clarified. Recommended changes in the special police process apply to all agencies that continue to employ individuals with special police powers.

The committee also adopted recommendations concerning the need for special police at the various agencies currently employing such individuals. Those recommendations are divided into four groups, covering agencies where special police should be eliminated, agencies where staffing patterns may need revision, agencies where no change is proposed, and agencies where the appointing authority should be changed.

RECOMMENDATIONS

Appointment, Standardization, and Jurisdictional Issues

1. Agencies requesting special police powers from the commissioner of public safety shall be statutorily required to assess the need for and develop an implementation plan for safety, security, and law enforcement at their facilities prior to the granting of such powers to any of their employees.

Each agency with employees with special police powers as of July 1, 1992, shall submit its plan, including a comprehensive risk analysis that encompasses at a minimum the factors listed below in Table IV-1, to the Department of Public Safety by September 1, 1992. The public safety commissioner shall approve or disapprove such agency plans within 60 days of receipt. Any agency that fails to submit an acceptable plan shall be prohibited from employing any individual with special police powers.

Table IV-1. Risk Analysis Factors.

1. The mission of the agency and the activities carried out pursuant to the mission (e.g., residential versus office work sites).
 2. The location and physical characteristics of the agency facility (e.g., characteristics of the general neighborhood, the size of the property, parking availability and safety, and buildings and grounds access points).
 3. The numbers and characteristics of persons accessing the agency (e.g., public, clients).
 4. The presence of sensitive, vulnerable, or "attractive" features (e.g., narcotics, confidential records).
 5. Actual loss and incident experience (by severity and frequency over time).
 6. Proximity to local and state law enforcement personnel.
-

The public safety commissioner shall be required to establish standards for the screening, training, and supervision of special police, the use of weapons, and for other operational policies and procedures, including incident reporting. Each agency shall prepare a policies and procedures manual in compliance with the standards established by the Department of Public Safety. The commissioner of public safety shall determine which special police shall carry firearms.

To retain special police powers for its employees in the future, each agency shall be required to update its risk analysis and modify its security plan, if needed, every two years from the initial approval date. Also, each agency shall review its policy and procedures manual every two years. Each agency shall report the results of the risk analysis update and any plan or policies and procedures changes, to the Department of Public Safety in writing every two years.

The public safety commissioner shall suspend the special police powers of individuals at any agency that fails to report to the public safety commissioner as required, for the period of noncompliance.

The commissioner of public safety shall coordinate policies on local and state police response to state facilities.

2. The employing agency shall be required to perform pre-employment background checks on prospective special police candidates. The Department of Public Safety shall provide a standardized form and training in the use of that form to representatives of agencies employing special police. At the time the application for special police powers is submitted to the Department of Public Safety, the nominating agency shall include a copy of the original background check and an update for the period prior to appointment.
3. The Department of Public Safety should make clear to special police officers and their employing agencies the scope of the officers' powers at the time those powers are granted. The department should also be more consistent in the wording of the cards it issues delineating the geographical jurisdiction of the officers.
4. The statutes shall be amended to allow persons with special police powers to engage in immediate pursuit.

Agencies That Should Cease Using Special Police

5. The police powers held by personnel at the Department of Public Works shall be relinquished and the agency police positions changed to buildings and grounds patrol officers. A security risk analysis shall be conducted by the

department for buildings under its jurisdiction and the analysis used to establish a comprehensive security plan.

The Department of Public Works shall enter into written understandings with the city of Hartford and the Department of Public Safety as to which police department will respond to crimes at state buildings. The Department of Public Works shall report annually to the Government Administration and Elections Committee about the state of safety and security at state buildings under Department of Public Works jurisdiction.

6. The special police powers held by personnel employed by the Connecticut Marketing Authority shall be relinquished, and the current police position changed to a buildings and grounds patrol officer.
7. The police powers currently held by personnel at the community colleges and the Central Naugatuck Valley Region Higher Education Center shall be relinquished, and the current positions changed to buildings and grounds patrol officers.
8. The special police powers held by personnel at the Southbury Training School shall be relinquished, and the current police positions changed to buildings and grounds patrol officers.

Parking Violations

9. The pertinent statutes and regulations regarding parking on state grounds shall be amended to allow buildings and grounds patrol officers to enforce parking provisions at all state agencies.

Agencies That Must Justify Their Need For Special Police

10. The Department of Mental Health (DMH) shall evaluate the current level of police staffing at its various facilities in order to reduce the number of police positions. In particular, DMH should review its need for police personnel at the Whiting Forensic Institute and the regional mental health centers. In addition, DMH should look at ways to centralize police services, such as investigations.

In addition to reports required under previous committee recommendations, DMH shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

11. The Connecticut Alcohol and Drug Abuse Commission (CADAC) shall evaluate the current level of police staffing at Blue Hills Hospital to reduce the number of police positions.

In addition to reports required under previous committee recommendations, CADAC shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

12. The Department of Children and Youth Services (DCYS) shall evaluate the current level of police staffing at Long Lane School in order to reduce the number of police positions.

In addition to reports required under previous committee recommendations, DCYS shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

Agencies Retaining Special Police

13. The Department of Environmental Protection shall be allowed to continue using the special police powers statute for its employees who have responsibility for law enforcement in state parks.
14. The capitol police shall continue to derive their arrest powers from the special police section of the statutes, C.G.S. Sec. 29-18.
15. The agency police at the Groton/New London Airport shall continue to hold special police powers under C.G.S. Sec. 29-18.
16. The Department of Public Safety shall be required to prepare the same risk analysis for Bradley airport that the committee previously recommended other state agencies employing special police prepare. If the analysis shows not all personnel need the same levels of authority, then the department should consider other security staffing alternatives to avoid the underutilization of its personnel with law enforcement powers.
17. The special police powers held by personnel at the state library shall be retained.

Agencies Where Commissioner Should Authorize Arrest Powers

18. C.G.S. Sec. 29-18b shall be eliminated, and the commissioner of revenue services shall be given authority to grant arrest powers to tax enforcement

agents employed by the Department of Revenue Services. The municipal police training requirements of C.G.S. Sec. 7-294a, 294d, and 294e shall continue to apply to these individuals.

19. C.G.S. Sec. 29-18c shall be eliminated, and the executive director of the Division of Special Revenue shall be given authority to grant arrest powers to investigators employed by the division. The powers of the investigators shall be expanded to all of the types of investigations required by the full range of programs operated by the division. The limitation on the number of investigators should also be eliminated.

The police officer job title with special police powers under C.G.S. Sec. 29-18 should continue to be used for those positions requiring arrest powers at the teletheaters or other similar sites.

Supplemental Recommendations

20. The University of Connecticut shall evaluate the possibility of combining the main police force in Storrs and the University of Connecticut Health Center police force into one department. As part of the evaluation, the university should particularly assess the need for security personnel at the health center to have arrest powers.
21. The Connecticut State University shall consider consolidation of the police departments at the four individual campuses (Central, Eastern, Southern, and Western) into one police force under a single chief of public safety and security.
22. Standardized background checks and training shall be required for all [Department of Agriculture] staff with arrest powers.

INTRODUCTION

More than one dozen statutes grant arrest powers to state workers who perform certain jobs under specified conditions. Some of these individuals receive their arrest authority directly from the head of the agency for whom they work, but about half obtain their powers from the commissioner of public safety as special police under Sections 29-18 through 29-18c of the Connecticut General Statutes (C.G.S.).

In January 1991, the Legislative Program Review and Investigations Committee (LPR&IC) authorized a study of state protective services. The broad scope of the study was state employees with arrest powers other than state police officers. However, certain state workers with arrest powers, principally in the criminal justice system, were specifically excluded from the committee's study. They included inspectors with the criminal justice division, probation officers, and Department of Correction employees with arrest powers. One additional category of personnel included in the review was special deputy sheriffs responsible for courtroom security, working under the constitutional authority of county high sheriffs and with separate statutory arrest power.

The primary focus of this study was the group of individuals with special police powers, obtained under C.G.S. Sections 29-18 through 29-18c. At some agencies, the functions performed by these personnel support the main work of the organization by providing security related services. At others, the functions are directly related to the regulatory mission of the agency.

Of particular concern to the committee was the question of operational control when the person granting arrest powers does not have day-to-day responsibility for the performance of the individual receiving such powers. Of equal importance was the threshold question of the need for arrest authority to carry out the functions performed by these state employees. Issues of need and control are also important with regard to employees who derive their arrest powers directly from statute, by virtue of being hired into their positions, and so this second group was also reviewed.

It is important to point out that the emphasis on arrest power does not mean the personnel included in the committee study spend a majority of their time making arrests. Although the actual exercise of arrest authority varies among agencies, in most cases it is comparatively infrequent. The mere possession of such authority, however, carries with it powers and liabilities that distinguish those with such authority from individuals without it.

As part of the program review committee's review process, information on operations at more than 20 state agencies employing special police was compiled. Similar data for agencies where employees receive their arrest powers directly through employment by the agency were also obtained. In addition, information about the

provision of security in buildings operated by the federal and four other state governments as well as private employers was collected through telephone interviews and visits. A public hearing to elicit information and views on issues related to the use of state employees with arrest powers was held by the committee in September 1991.

Chapter I of this report provides a description of the powers of and limitations on individuals in Connecticut with arrest authority. It also presents information about the sources of authority of the state employees reviewed as part of the study. Chapter II details the process for obtaining special police powers under the section 29-18 statutes. Chapter III identifies the agencies that employ individuals with arrest powers and describes the functions they perform. The findings and recommendations of the program review committee and a discussion of the security and law enforcement needs of the state are contained in Chapter IV.

It is the policy of the Legislative Program Review and Investigations Committee to provide state agencies affected by a study with an opportunity to review and comment on recommendations prior to the publication of the final report. The formal agency responses that were received are presented in Appendix B.

CHAPTER I

SOURCES OF ARREST AUTHORITY

A general definition of arrest is "to deprive a person of his [or her] liberty by legal authority."¹ Arrest power is granted by the state to a limited number of individuals. Because of the significance of this power, there are many rules about its use developed in statute and case law. Failure to follow these rules can result in injury to civilians or state employees and expose the state to civil liability.

A review of the statutes granting people arrest powers shows a variety of purposes and jurisdictions. In addition to these specific statutes, other statutory provisions impact state employees with arrest powers, including the state penal code and the municipal police training statute.

Penal Code

The state penal code (C.G.S. Title 53a) sets out the types of activities that are considered criminal, and classified as felonies and misdemeanors. The penal code also defines a type of conduct labelled "violation", which is something against the law, but not considered criminal. Other statutes outside the penal code also impose penalties for certain actions that makes them crimes.

Separate from crimes and violations are two other types of conduct against state law: motor vehicle violations and infractions. Infractions are considered the least serious of illegal activities, and state law specifies that the issuance of a summons for an infraction does not constitute an arrest.

The state penal code also labels certain persons as peace officers, and establishes how peace officers are to make arrests. A peace officer is defined as:

- a member of the Division of State Police or an organized local police department;
- a chief inspector or inspector in the Division of Criminal Justice;
- a sheriff, deputy sheriff, or special deputy sheriff;
- a conservation officer or special conservation officer, as defined in C.G.S. Sec. 26-5;

¹ Black's Law Dictionary (West, Fifth edition), p. 100.

- a constable who performs criminal law enforcement duties;
- a special police officer appointed under C.G.S. Secs. 29-18, 29-18a, or 29-19;
- an adult probation officer, appointed under C.G.S. Sec. 54-104;
- an official of the Department of Correction (DOC) authorized by the commissioner of correction to make arrests in a correctional institution or facility; or
- any investigator in the Investigations Unit of the Office of State Treasurer.

Types of Arrests

Any arrest must be by an arrest warrant approved by a judge, unless certain criteria specified in statute are fulfilled. C.G.S. Sec. 54-1f describes the circumstances under which a person may be arrested without a warrant, i.e., in reliance solely on the arresting officer's judgment. An overview of types of arrests follows.

Warrantless arrests. By statute, a peace officer in his or her jurisdiction is to arrest, "without previous complaint and warrant," any person for any offense in his or her jurisdiction, when the person is caught in the act by the officer or on the "speedy information" of others. There is one exception to this rule. Specific persons -- state police officers, local police officers, and criminal justice division inspectors -- can arrest a suspect without a warrant, if they have reasonable grounds to believe a person has committed or is committing a felony.

Arrests with warrants. In all other circumstances, arrests must be made with a warrant. An officer must submit a warrant affidavit to a prosecutor, who applies to a judge for approval of the warrant. The application, usually through the affidavit, must state in writing the reasons the police officer believes probable cause to arrest exists.

Hot pursuit. Certain specified persons, when in immediate pursuit of someone who could be arrested without a warrant (called hot pursuit), are authorized to pursue the offender outside their respective precincts into any part of the state in order to effect the arrest. These persons are: local police officers, state capitol police, sheriffs, deputy sheriffs, special deputy sheriffs, and constables who are certified under the provisions of C.G.S. Sections 7-294a to 7-294e and who perform criminal law enforcement duties.

Arrest process. An arrested person may be taken into physical custody to a police station, where he or she is booked and jailed until, and if, released on bail. However, not all arrests involve taking a person into custody. In a misdemeanor case or for an offense for which the penalties are imprisonment for a year or less and/or a fine of less than \$1,000, the arresting officer may issue the individual what is called a misdemeanor summons.

This summons looks like a ticket, informs the person of the charge, and instructs the person to appear in court at a certain time. The accused signs the summons, promising to appear in court at that time. Such a summons can be issued in a warrantless arrest or one with a warrant.

Weapons, Force, and Arrest Authority

No statutory provision specifies that persons with arrest powers, including state or municipal police, may carry firearms. The laws regulating possession of pistols and revolvers imply that persons with police powers will carry firearms. The statute prohibiting the carrying of a pistol or revolver without a permit specifically does not apply to "any ... peace officer of this state ... when on duty or going to or from duty...." (C.G.S. Sec. 29-35)

Although they are not statutorily prohibited from doing so, many state personnel with arrest powers do not carry firearms. The decision to carry weapons of any kind currently rests with the employing agency. Types of weapons other than firearms used by protective services personnel include batons and chemical aerosols. There are training requirements that accompany the use of these weapons.

Use of physical and deadly force. State law sets out the circumstances in which physical and deadly force may be used justifiably against another individual. Peace officers, for example, are justified in using reasonable physical force in making an arrest to the extent believed necessary to effectuate the arrest or defend from force directed against the peace officer during the arrest.

A peace officer can also use deadly force to effect the arrest of a person he or she reasonably believes has committed or is committing a felony that involved the infliction or threatened infliction of serious physical injury. In that case, where feasible, the person should be given a warning of the peace officer's intent to use deadly physical force. The chief state's attorney is responsible for investigating cases where deadly physical force is used by a peace officer to determine if the action was appropriate under the statutory rule regarding use of force by peace officers.

Risks. The exercise of arrest powers and the use of weapons carry the potential for legal as well as physical harm. Many civil actions may be brought against the state, including claims of false arrest and deprivation of federal civil rights.

In general, individual state employees are indemnified by the state from any suit based on his or her acts or omissions resulting in damage or injury, if the individual was acting within the scope of employment and was not found to be acting in a reckless, wanton, or malicious manner. In some of these cases, the state is immune from suit unless it waives that immunity. This provision does not apply to suits brought in federal court against the state under federal civil rights law. According to the Office of Attorney General, the largest number of such cases involve corrections officers and state police, who are not included in the committee study.

Municipal Police Training Statutes

Other relevant statutory provisions affecting individuals included in the committee study are the municipal police training statutes, C.G.S. Secs. 7-294a through 7-294j. It requires any "police officer" to complete certain training. Under the statute, a police officer is defined as:

- a sworn member of an organized local police department;
- an appointed constable who performs criminal law enforcement duties;
- a special police officer appointed under C.G.S. Secs. 29-18, 29-18a, or 29-19; or
- any member of a law enforcement unit who performs police duties.

Individuals empowered as special police under C.G.S. Sec. 29-18c are also statutorily required to meet this training provision by virtue of language in their enabling statute.

Additional elements of the municipal police training requirements relevant to special police include the amount of basic and review training mandated and the time frame for completing training.

Section 29 Statutes

Statutory authorization for state officials to designate individuals to act as special police on state property dates back to 1879. The scope, geographical boundaries, and appointing authority of that power have changed a number of times. However, major provisions have existed in substantially the current form since 1939.

Special police powers are granted to state employees by the commissioner of public safety under four distinct statutes.² Table I-1 sets out the specific language of C.G.S. Secs. 29-18, 29-18a, 29-18b, and 29-18c (called hereafter the Section 29 statutes).

The stated purposes in each section are different. Under C.G.S. Sec. 29-18, the broadest of the four and the one applying to the majority of the special police included in this study, individuals with special police powers are to act in state buildings and upon state lands. No specific language about the types of law enforcement action to be performed is indicated. Such individuals are peace officers, giving them the power of arrest and certain other authority and responsibility. However, the jurisdiction of special police is generally limited to those locations where their employing agency has a physical presence.

C.G.S. Sec. 29-18a has no geographic provision, but applies only to employees of the Department of Public Safety (DPS) for purposes of investigating public assistance fraud by recipients of such aid. C.G.S. Sec. 29-18b, which only applies to the Department of Revenue Services (DRS), states that individuals appointed under its provisions are to "act as special police" in the Special Investigation Section of the department. Finally, C.G.S. Sec. 29-18c provides for special police to work as investigators in the Security Unit of the Division of Special Revenue (DSR).

Other aspects of the language of the four Section 29 statutes also vary. Under C.G.S. Secs. 29-18b and 29-18c, special police have the same powers as state police. C.G.S. Sec. 29-18a contains the same provision, but adds that those special police also have the powers of sheriffs and their deputies. C.G.S. Sec. 29-18 contains no comparable language.

C.G.S. Secs. 29-18a, 18b, and 18c all state that the special police serve at the pleasure of the public safety commissioner; C.G.S. Sec. 29-18 does not. By statute, the DPS fraud and the revenue services special police may be called upon by the public safety commissioner for emergency services.

² Individuals working for private utility, transportation, and armored car companies can also obtain special police powers from the commissioner of public safety. Such authority comes under other sections of the statutes and was not included in the committee's study.

Table I-1. Summary of Statutes Granting Arrest Authority Through the Public Safety Commissioner.

Statute (C.G.S. Sec.)	Appointment Language	Statutory Expression of Authority/Jurisdiction	Peace Officer Status
<p>29-18 State buildings and grounds</p>	<p>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.</p>	<p>Appointees are to act as special police in state buildings and upon state lands. Each special police officer shall be sworn and may arrest and present before a competent authority any person for any offense committed within his or her precinct.</p>	<p>Yes</p>
<p>29-18a Public assistance fraud</p>	<p>The commissioner of public safety may appoint one or more persons to act as special police in the Department of Public Safety.</p>	<p>Persons are to act as special police in the Department of Public Safety for the purpose of investigating public assistance fraud relating to the beneficiaries of public assistance in this state. Such persons are sworn and serve at the pleasure of the public safety commissioner and shall have all the powers conferred on state police officers, and sheriffs and their deputies. The special police shall, in addition to their duties concerning public assistance cases, be subject to the call of the commissioner of public safety for such emergency service as said commissioner may prescribe.</p>	<p>Yes</p>
<p>29-18b Revenue services</p>	<p>The commissioner of public safety may appoint persons nominated by the commissioner of revenue services to act as special police in the Special Investigation Section of the Department of Revenue Services.</p>	<p>Persons are to act as special police in the Special Investigation Section of the Department of Revenue Services. These persons are to serve at the pleasure of the public safety commissioner and shall have all the powers conferred on state police officers. They shall, in addition to their duties with the special investigation section, be subject to call by the public safety commissioner for such emergency service as said commissioner may prescribe.</p>	<p>No</p>
<p>29-18c Special revenue</p>	<p>The commissioner of public safety may appoint not more than four persons employed as investigators in the Security Unit of the Division of Special Revenue, upon the nomination of the executive director of the division, to act as special police.</p>	<p>Persons are to act as special police, under the job title of investigators, in the Security Unit of the Division of Special Revenue. These persons serve at the pleasure of the public safety commissioner. They shall have all the powers conferred on state police officers while investigating or making arrests for any offense arising from the operation of any off-track betting system or the conduct of any lottery game.</p>	<p>No</p>

Non-Section 29 Statutes

Table I-2 summarizes the language of the remaining seven statutes examined as part of the committee's study. C.G.S. Secs. 26-5 and 26-6 set out the powers of conservation officers in the Department of Environmental Protection (DEP). These individuals are generally limited to the enforcement of specific statutory provisions, but legislation during the 1991 session expanded their enforcement power to other offenses, if occurring incidental to a specified offense. Conservation officers and the canine control officers in the Department of Agriculture, authorized under C.G.S. Secs. 22-328 through 22-330, have the same authority as sheriffs, municipal police, or constables in their respective jurisdictions.

Department of Motor Vehicles (DMV) inspectors with arrest power under C.G.S. Sec. 14-8 are limited to motor vehicle related laws. Within that confine, they have the same authority as state or municipal police in their respective jurisdictions. Investigators in the Department of Consumer Protection (DCP) are to enforce controlled substance laws under C.G.S. Sec. 21a-261, and the investigators in the treasurer's office are to investigate second injury fund fraud (C.G.S. Sec. 31-349a). The specific powers of the two latter groups are defined as those of "peace officers."

Police authorized under C.G.S. Sec. 10a-142 work at the University of Connecticut (UConn), the UConn Health Center, and the individual campuses of the Connecticut State University. The statute provides that these groups have many of the same duties and responsibilities as local police departments.

Sheriffs

High sheriffs are state constitutional officials, elected in each of the eight counties to oversee provision of courthouse security, prisoner transportation, and process service. Two types of deputy sheriffs work for the high sheriffs: deputy sheriffs who serve process in civil cases, and special deputy sheriffs who perform court security functions and transport prisoners. The special deputy sheriffs work on a per diem basis and are appointed for one-year terms. They monitor courtrooms, run metal detectors, and move prisoners within the courthouses.

Special deputy sheriffs derive their arrest authority from C.G.S. Sec. 6-43. They are very different from the other personnel reviewed in this study. Their activities are ultimately under the control of the respective high sheriff of each county. Special deputy sheriffs are not required to meet the statutorily mandated formal training requirements established by the Municipal Police Training Council (MPTC).

A sheriffs' advisory board is charged with providing coordination among the high sheriffs. The board is made up of five members: two high sheriffs, the commissioner of correction, the chief court administrator, and the comptroller.

Table 1-2. Summary of Statutes Granting Arrest Authority With No Appointment Role for Public Safety Commissioner.

Statute (C.G.S. Sec.)	Appointment Language	Statutory Expression of Authority/Jurisdiction	Peace Officer Status
26-5 and 26-6 DEP Conservation Officers	The commissioner of environmental protection shall appoint as many conservation officers as necessary for the efficient execution of the duties of the department under C.G.S. Sec. 26-6. The commissioner may also appoint as special conservation officers or patrol persons any employee of the department.	<p>Conservation officers, and special conservation and patrol officers appointed by the DEP commissioner enforce provisions of titles 23 and 26 and certain other chapters. They may, without warrant, arrest persons for any violation of the above provisions. Full-time conservation officers, in performing their duties, have the same power to enforce such laws as sheriffs, police officers, or constables in their respective jurisdictions.</p> <p>A conservation officer, special conservation officer, or patrol officer may, within the boundaries of the state, examine the contents of any boat, car, other vehicle, box, etc. in which there is probable cause to believe fish, birds, crustaceans, or quadrupeds are being kept in violation of statutory provisions or regulations issued by the commissioner or the U.S. Fish and Wildlife Service, and ascertain whether any law or regulation for the protection of fish, etc., has been or is being violated; they have the same authority as police officers to obtain and execute search warrants as provided for in C.G.S. Secs. 54-33a, 33b, and 33c.</p> <p>Each officer or patrol person shall be sworn to faithful performance of his or her duties.</p>	Yes
23-18 State Park Police	The commissioner of public safety, upon application of the commissioner of environmental protection, may appoint persons employed by the commissioner of environmental protection as state park police.	Persons are sworn and may arrest any person in a public reservation for any offense committed therein and take such person before some competent authority. Each such officer shall wear a shield bearing the words "State Park Police" or "State Forest Police", whichever is appropriate.	No
22-328 through 22-330 Canine Control Officers	The agriculture commissioner shall appoint a chief canine control officer, an asst. canine control officer, not more than 12 canine control officers, and as many regional canine control officers and assts. as necessary to enforce certain laws.	The agriculture commissioner, the chief canine control officer, any canine control officer in any part of the state, and any regional canine control officer in the territory to which he or she is assigned, may exercise the same authority to arrest any person and may issue a written complaint and summons in furtherance thereof for any violation of any law relating to dogs or to any domestic animal as sheriffs, police officers, or constables may exercise in their respective jurisdictions.	No

Statute (C.G.S. Sec.)	Appointment Language	Statutory Expression of Authority/Jurisdiction	Peace Officer Status
10a-142 University Police	No specific language: normal hiring practices.	A special police force for the University of Connecticut at Storrs and its branches, the University of Connecticut Health Center in Farmington, Central Connecticut State University in New Britain, Southern Connecticut State University in New Haven, Eastern Connecticut State University in Willimantic, and Western Connecticut State University in Danbury, is established, the members of which have the same duties, responsibilities, and authority under Secs. 7-281, 14-8, 54-1f, and 54-33a and title 53a, as members of duly organized local police departments. The jurisdiction of said special police force extends to the geographical limits of the property owned or under the control of those institutions, except as provided in subsection b of Sec. 7-277a.	Yes
14-8 Department of Motor Vehicles	The commissioner, each deputy commissioner and any salaried inspector of motor vehicles designated by the commissioner to have authority to make arrests.	The commissioner, each deputy commissioner, and salaried inspectors of motor vehicles designated by the commissioner, when engaged in the duties of their office, in any part of the state, have the same authority to make arrests, issue citations, or generally enforce violations of motor vehicle statutes or regulations as state or local police offices have in their respective jurisdictions. The commissioner shall issue each deputy commissioner or inspector credentials showing their authority of arrest, which shall be carried while in the discharge of their duties. They may issue a summons to any person to appear at any hearing before the commissioner that may result in the imposition of administrative sanctions.	No
21a-261 Department of Consumer Protection	No specific language: normal hiring practices.	Salaried inspectors have the same authority to declare a motor vehicle out of service in accordance with the CFR Title 49, Sec. 396.9 as a state or local police officer. The consumer protection commissioner and authorized agents of the same are empowered to obtain and serve search warrants and arrest warrants; to seize contraband controlled substances; and to make arrests without warrant for offenses under C.G.S. Secs. 21a-243 to 21a-282, inclusive, if the offense is committed in their presence or in the case of a felony, if they have probable cause to believe the person so arrested has committed or is committing such an offense.	Yes; except when using deadly force
31-349a Second Injury Fund	No specific language: normal hiring practices.	Any investigator in the Investigations Unit of the Office of the State Treasurer shall, when investigating second injury and compensation assurance fund claims that may violate the requirements of Chapter 568, have the powers as described in C.G.S. Sec. 54-1f of a peace officer as defined in subdivision 9 of Sec. 53a-3.	Yes

CHAPTER II

SPECIAL POLICE APPOINTMENT PROCESS

Individuals seeking employment in state positions that include arrest powers initially follow the same steps as those seeking other types of state jobs. The major difference from the general hiring process is that a physical exam and a background check may be required. Figure II-1 summarizes the main steps to obtain one of the jobs with arrest powers examined by the program review committee. The top half of the chart is the same as the general state hiring process.

In order to obtain a state position, a person applies for a particular job. For each job title, a written job specification outlines the duties, supervision exercised and received, and the experience and education required. Certain state job classifications specify that a job holder may or will be required to receive (and retain during employment in the job class) arrest authority from the commissioner of public safety or appointment as a special police officer.

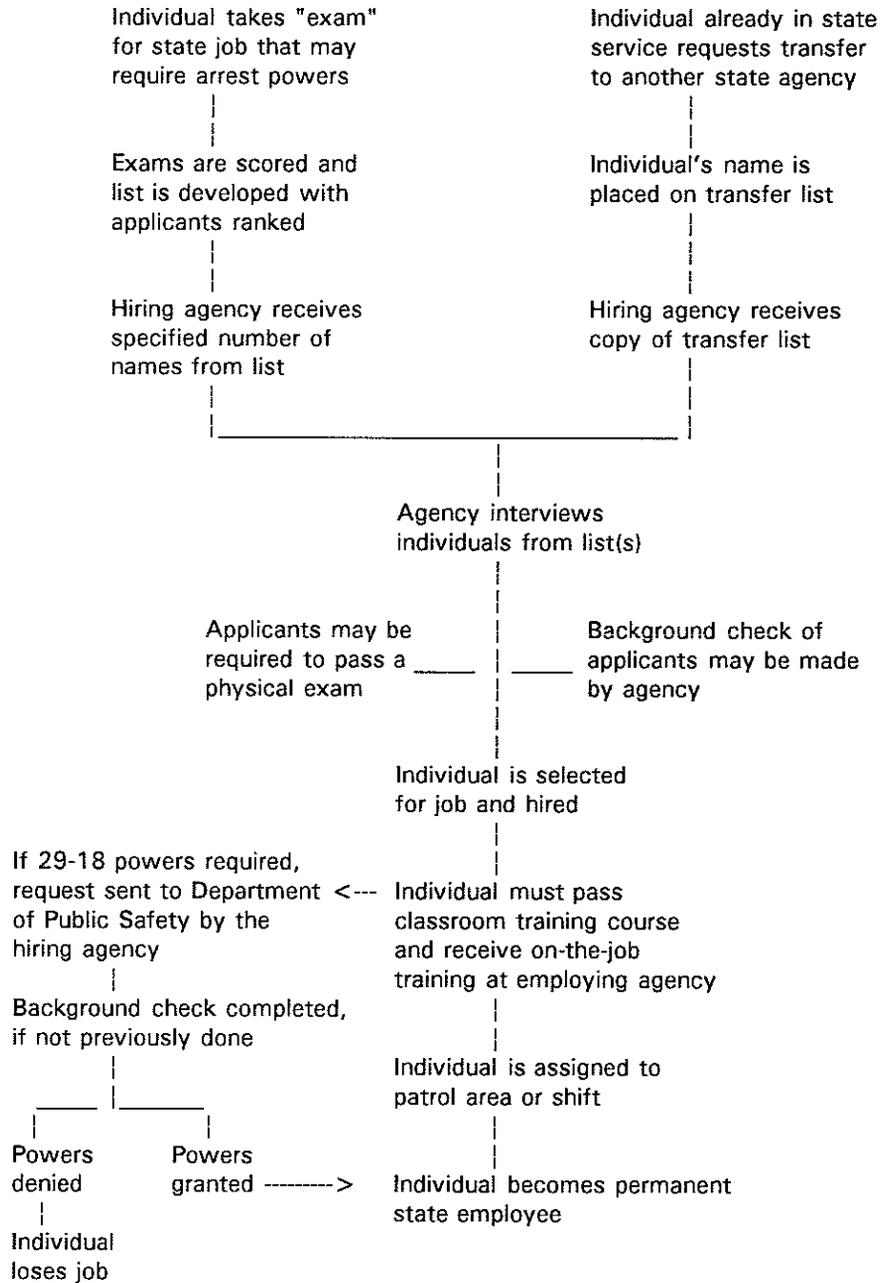
Some of the more common minimum requirements for state positions with arrest powers include experience:

- protecting people or property;
- as a police officer in an organized police department or within a state agency;
- in wildlife conservation; and
- conducting criminal or law or regulatory enforcement investigations.

If qualified, an applicant takes an exam for the desired position. State exams can be a review of information about previous training and experience, or can consist of written or oral questions. Applicants who score a passing grade are placed on an employment list. For some jobs, applicants are ranked, and only individuals above a particular rank can be considered for an opening. In other cases, as long as an individual has passed the exam, he or she is eligible to be hired.

Individuals seeking positions with arrest powers are often required to undergo a detailed background check concerning family history, past employment, financial status, and previous criminal record. This character check may be handled by the employing agency for those applicants it considers finalists for a position. In the case of prospective special police, it may not occur until an individual has been hired and trained, and an application for appointment as a special police officer is reviewed by

Figure II-1. Entry Level Hiring Process for State Positions With Arrest Powers.



the Department of Public Safety. If the background investigation is done by the employing agency prior to hiring an individual, the information will be updated by the state police at the time the request for special police powers is submitted to the commissioner of public safety.

Once a person has been hired for a job that includes arrest powers, he or she may be required to pass a training program in order to retain the job. Except for the special police, once training is completed, individuals with arrest powers are fully authorized to exercise them. For persons hired as special police, there still is the added step of appointment by the public safety commissioner.

Appointment Process

Under C.G.S. Secs. 29-18, 29-18a, 29-18b, and 29-18c, the commissioner of public safety may appoint persons nominated by the heads of certain agencies to act as special police. In order to obtain that designation, an individual must pass a screening process set up by the Department of Public Safety, after being hired by an agency. Prior to appointment, the individual must complete a prescribed, formal academic training program and on-the-job training in basic police and security work. Figure II-2 summarizes the steps in the appointment process.

Application. The employing agency sends its written request to the Special Services Unit of the Division of the State Police in the Department of Public Safety on behalf of the individual seeking appointment as a special police officer. An application from the potential special police person is submitted with information about:

- prior addresses, military service, previous employers, and family information;
- arrest record;
- past treatment for mental illness, and addiction to drugs or alcohol, if any;
- firearms training, if any; and
- previous police service or police authority.

The application must be accompanied by two sets of fingerprints and three photographs.

The Special Services Unit assigns a case file number to the special police application when a state trooper is ready to start the background check. Information on the application is verified; previous employers and neighbors are interviewed;

school records are reviewed; and credit, motor vehicle, fingerprint, and military service checks are done. The individual is then interviewed by the investigating trooper.

The trooper prepares a report recommending approval or disapproval. The report is reviewed by the head of special services, the commanding officer of the Special Investigations Bureau, the lieutenant colonel in charge of the Division of State Police, and, finally, the commissioner of public safety. Any one of these people can deny the application.

Grant of powers. If approved by the commissioner of public safety, the Special Services Unit sends an oath statement, a photo identification card, and a greeting from the commissioner (which is the certificate of appointment) to the head of the nominating agency, who swears in the individual.

The identification card specifically states the jurisdiction of the person's police powers. Individuals obtaining their powers under C.G.S. Sec. 29-18 receive powers that are geographically restricted. Employees receiving their powers under C.G.S. Secs. 29-18a, 29-18b, and 29-18c, are appointed "special police" for the following specific purposes: investigating public assistance fraud, or laws relevant to the Department of Revenue Services or the Division of Special Revenue, respectively.

If a person with special police powers leaves the original employing agency or moves to a job that no longer requires special police powers, the certificate of appointment, the oath, and the identification card must be returned to the Special Services Unit immediately. If the person goes to another agency and is an applicant again for special police status, the unit will run a current fingerprint check and verify the reason for the previous termination of powers.

According to the Special Services Unit, it takes several months from the time an application is submitted to when the special police powers are granted. Persons turned down for appointment as a special police officer can appeal that decision up through the Department of Public Safety to the commissioner. Failure to obtain special powers means the individual will lose his or her job.

Training

As mentioned earlier, the municipal police training statute requires "police officers," as defined in that statute, to receive training in order to be certified by the Municipal Police Training Council. Certification is necessary to maintain one's job as a police officer. The special police authorized under the Section 29 statutes and most of the other state personnel examined as part of this study fall under the statute.

The state police are specifically excluded from the requirements of the municipal training statute. The state police run their own academy and, except for certain statutory mandates, establish their own training requirements.

The municipal police training statute provides for two levels of training for certification -- basic and review -- and establishes minimum hours for each type. The statutory minimum basic training requirement is 480 hours (12 weeks), which is to be completed within a year after hiring. MPTC may and does require additional minimum training. At present, basic training is 632 hours (almost 16 weeks). To meet the review training requirement, officers must complete 40 hours of training over a three-year period.

Basic training. Basic training consists of two parts: classroom training and in-service training. The classroom subject matter is set by MPTC for the most part, although some specific training topics are required by statute. MPTC currently requires successful completion of at least 552 hours of classroom work.

Classroom training can be obtained through two different sources. The Department of Public Safety operates a 620-hour Protective Services Program, and the Municipal Police Training Council runs a program for local police departments, which covers similar topics in 552 hours. The MPTC training school is called the Connecticut Police Academy.

A primary determinant of where someone will go for classroom training appears to be space availability. During the past three fiscal years, ending June 30, 1991, 87 protective services personnel were trained at the State Police Academy and 10 at the Connecticut Police Academy.

The classroom curriculum for prospective special police and others at the Connecticut Police Academy is different from that taught to their counterparts at the State Police Academy. The manner in which they are trained also differs. At the Connecticut Police Academy, special police and other state agency employees participate in the same classes as the local police trainees. At the State Police Academy, the special police and other nonstate police employees are taught in "protective services" classes, separate from state police recruits. Table II-1 compares the different classroom curriculum in terms of hours spent on certain topics.

The other component of basic training is in-service training. A minimum of 80 hours of orientation and field training must be provided by the agency employing the police officer.

Review training. Once basic certification is obtained, police officers must satisfactorily complete 40 hours of additional training every three years in order to retain certification. Subjects such as new legal mandates and weapons are covered.

The sources for review training are more varied than basic training. Individual municipalities or state agencies may sponsor review courses as long as they are taught by MPTC-certified instructors.

Table II-1. Comparison of Classroom Training Hours at the Connecticut Police Academy (MPTC) and at the State Police Academy for Protective Services and for State Police Troopers.			
SUBJECT	CONN. POLICE ACADEMY	STATE POLICE PROTECTIVE SERVICES	STATE POLICE TROOPER
Accident Investigation	30	40	65
Criminal Investigation	75	56	88
Criminal Justice System	15	16	16
Driving While Intoxicated (DWI)	12	15	33
Emergency Vehicle Operation/Defensive Driving	24	35	56
Firearms	48	28	62
Interpersonal Relations	25	19	34
Laws of Arrest	30	29	29
Medical Response Technician	50	44	44
Motor Vehicle Law	35	46	68
Officer Safety and Survival	32	41	70
Orientation/Administration	8	16	25
Patrol Techniques	75	76	86
Penal Code	42	56	56
Public Speaking	NA	15	15
Report Writing/Police English	12	24	62
Military Drills, Riots, and Civil Disorders	10	20	35
Search and Seizure	22	28	28
Water Safety	3	16	20
Physical Fitness and Wellness	*	NA	112
Radar	4	NA	25
TOTAL	552	620	1,029
NA = not applicable			
* Fifty-six hours of physical fitness training occurs outside regular classroom training time.			
Source: LPR&IC staff analysis of MPTC and State Police curriculum requirements.			

CHAPTER III

EMPLOYING AGENCIES

In the fall of 1991, 659 state employees held arrest authority under the statutory sections examined by the program review committee. This included 273 individuals with special police powers obtained from the commissioner of public safety under one of the four Section 29 statutes and 386 people with arrest powers directly from their employing agencies.

Table III-1 displays, from the highest to lowest, users of state employees with arrest powers, combining both Section 29 and non-Section 29 categories. The agency with the greatest number of special police is the Department of Mental Health (DMH). The agency with the largest number of individuals receiving arrest powers from their employing agency is the Department of Motor Vehicles.

Many different job titles are held by the individuals included in the scope of the committee's study. The specific titles are contained in Appendix A. Table A-1 in the appendix lists, for the four Section 29 statutes, the state job titles the program review committee identified as correlating to each statute. Similar information for the non-Section 29 statutes is displayed in Table A-2 in the appendix.

Functions Performed

Although the employees in state jobs examined as part of this study share the common power of arrest, the functions they perform vary widely. The focus of their duties depends on which statute authorizes their power and what agency employs them. Two major functional categories are identifiable: public safety and regulatory enforcement. The former encompasses the safety and security of people and property, with enforcement activities performed as needed; the latter targets enforcement of governmental restrictions on particular subject areas.

People and property. The state owns or leases a wide variety of properties for the many programs and services it offers. These facilities range from office buildings to residential campuses (universities, hospitals, and prisons) to recreational areas (beaches, campgrounds, and historical sites) to storage areas.

The number and types of clients served by an agency, the services provided, and the physical location of its offices are among the factors affecting the safety and security needs at state properties. Statewide, there is a mix of components used to address these needs that includes: electronic security devices, private and state employed security guards, C.G.S. Sec. 29-18 special police, university police, and local and state police.

Table III-1. Agencies That Use State Employees With Arrest Powers, FY 92.

Agency (Statutory Section)	Number of Employees	Percent of Total (N = 659)	Percent of Special Police (N = 273)
Dept. of Motor Vehicles (14-8)	155	23.5	na
Dept. of Mental Health (29-18)	92	13.9	33.7
Dept. Envrnmntl. Protection (26-5 and 29-18)	89 (53 and 36)	13.5	13.2
University of Connecticut (10a-142)	49	7.4	na
Legislative Management (29-18)	28	4.2	10.3
Div. of Special Revenue (29-18 and 29-18c)	26 (23 and 3)	3.9	9.5
DPS - Bradley International Airport (29-18)	23	3.5	8.4
Central CT State Univ. (10a-142)	23	3.5	na
Southern CT State Univ. (10a-142)	22	3.3	na
Western CT State Univ. (10a-142)	19	2.9	na
UConn Health Center (10a-142)	17	2.6	na
Dept. of Children & Youth Services (29-18)	15 [FY 91]	2.3	5.5
Dept. of Consumer Protection (21a-261)	14	2.1	na
Dept. of Agriculture (22-328)	14	2.1	na
Dept. of Revenue Services (29-18b)	12	1.8	4.4
Eastern CT State Univ. (10a-142)	11	1.7	na
CT Alcohol & Drug Abuse Commission (29-18)	10	1.5	3.7
State Treasurer (31-349a)	9	1.4	na
Ctrl. Naug. Valley Reg. Higher Ed. Ctr. (29-18)	7	1.1	2.6
DOT - Groton/New London Airport (29-18)	6	0.9	2.2
Community Colleges (29-18)	6	0.9	2.2
Dept. of Public Works (29-18)	5	0.8	1.8
State Library (29-18)	4	0.6	1.5
Dept. of Mental Retardation (29-18)	2	0.3	0.7
CT Marketing Authority (29-18)	1	0.2	0.4

Note: Shaded rows indicate agencies that employ special police.

Source: LPR&IC staff analysis of data from the State of Connecticut Payroll/Personnel System Selective Class Title Report dated February 28, 1991, and Department of Public Safety special police records.

The special police have authority in specified geographical areas, based on the buildings and lands under the jurisdiction of the employing agency. As with local and state police, not all the work done requires the use of arrest power. Some activities, for example, controlling access to facilities or monitoring parking, are performed routinely and are preventive in nature; these do not require arrest powers. Other activities occur only if a crime is committed and resolution of the issue requires the involvement of someone with arrest authority.

Potentially, special police have the same responsibilities at their assigned locations as the local police have in a town. The special police are responsible for reacting to alleged criminal activity and maintaining public order, including investigating incidents and arresting people, if necessary.

Some state employees assigned to security functions do not have arrest powers, for example, buildings and grounds patrol officers. However, many work in agencies that also employ individuals with arrest powers. In the greater Hartford area, contract workers from private security firms, who do not have arrest powers, are also used. They are assigned to buildings under the jurisdiction of the Department of Public Works (DPW) as part of its overall maintenance and security function for state agencies. Using a patrol system, DPW police officers with arrest powers monitor the on-site work of the private security guards.

Back-up assistance is available to the agency police and other security personnel at state facilities from the Connecticut State Police or nearby municipal police departments. The nature of the assistance and the responding force depend on the type and site of the incident. Generally, the state police only become involved in emergency situations or crimes against state property. Municipalities may be called in emergency situations or when crimes against persons occur in facilities located in their towns and occupied but not owned by the state.

Regulatory enforcement functions. Many state agencies have regulatory responsibilities to ensure compliance with statutory mandates. The jurisdiction of the individuals performing these functions is generally limited to specific subject areas, such as wildlife or motor vehicles.

Special police authorized by the commissioner of public safety under C.G.S. Sections 29-18a, 29-18b, and 29-18c are assigned to public assistance fraud, revenue services investigations, and special revenue offenses (legalized gambling), respectively. Other statutes authorize agency heads to designate state personnel to enforce specific subject matter areas, including fish and wildlife, canines, motor vehicles, controlled substances, and second injury fund fraud.

Regulatory enforcement staff with arrest powers have patrol, inspection, confiscation, surveillance, and investigation responsibilities. These tasks vary among different job titles, depending on the employing agency and the area being regulated.

Other Law Enforcement Agencies

In theory, the Connecticut State Police or local organized police departments could perform the functions carried out by the state employees reviewed as part of this study. However, their role is traditionally one of providing back-up support. Resources and tradition are what most likely restrict the substantive provision of services by the state or local police.

The Connecticut State Police are a division of the Department of Public Safety. Their duty is to provide a coordinated, integrated program for the protection of life and property. There are nearly 900 state police officers with arrest powers performing a variety of functions.

The division upon its initiative or when requested, if practical, can assist with the investigation, detection, and prosecution of any criminal matter or alleged violation of law. All state police have the same powers with respect to law enforcement that sheriffs, police, or constables have in their respective jurisdictions.

With respect to local police departments, a municipality may establish a board of police commissioners for the purpose of organizing and maintaining a police department in the town. The board is responsible for the general management and supervision of the department. The members of these local police departments have all the authority with respect to the enforcement of criminal laws as is vested by the general statutes in constables.

Estimated Personnel Costs

The estimated annual cost to the state for the salaries of employees with arrest powers being examined as part of this study was nearly \$23 million during state fiscal year 1991. This estimate was calculated from the base salaries of the individual employees. It does not include any overtime expenditures or fringe benefits.

Table III-2 shows the estimated FY 91 salary expenditures for each state agency that has staff with arrest powers included in this study and who are assigned to public safety functions. The table also includes estimated cost data for buildings and grounds patrol staff, who do not have arrest powers but who supplement the protective service functions of the employees with arrest powers.

Table III-2. Public Safety Function: Estimated FY 91 State Salary Costs for Employees with Arrest Powers and Buildings and Grounds (B&G) Patrol Staff (rounded to nearest \$100).

AGENCY	# Sec. 29 Staff	# Non-Sec. 29 Staff	Cost of Staff with arrest powers	No. B&G Staff	Cost of B&G Staff	Total Cost
Dept. Mental Health	99	0	\$3,377,300	2pt	\$12,600	\$3,389,900
Univ. of Connecticut	0	49	\$1,768,600	10	\$261,600	\$2,030,200
Dept. Environmental Protection	35	80 seasonal	\$1,685,700	0	--	\$1,685,700
Dept. Public Works	5	0	\$173,300	8	\$182,800	\$.36M(+ 1.1M private guards)
Legis. Management	28	1	\$874,000	0	--	\$874,000
Central CT St. Univ.	0	23	\$831,400	0	--	\$831,400
Southern CT St. Univ.	0	22	\$739,900	2pt	\$13,200	\$753,100
Dept. Public Safety	23	0	\$695,200	1	\$23,500	\$718,700
UConn Health Center	0	17	\$654,600	2	\$51,600	\$706,200
Dept. Special Revenue	21	0	\$639,900	3	\$59,400	\$699,300
DCYS	15	0	\$534,100	3 + 2pt	\$92,600	\$626,700
Western CT St. Univ.	0	19	\$588,900	0	--	\$588,900
Eastern CT St. Univ.	0	11	\$383,800	1	\$22,600	\$406,400
Community Colleges	6	0	\$221,300	7	\$176,100	\$397,400
CADAC	11	0	\$382,300	0	--	\$382,300
Dept. Transportation	8	0	\$261,800	2	\$51,600	\$313,400
Ctrl. Naug. Valley Region Higher Ed. Ctr.	7	0	\$232,300	2 + 1pt	\$58,300	\$290,600
State Library	4	0	\$118,900	1 + 1pt	\$27,700	\$146,600
Dept. Mental Retardation	4	0	\$143,100	0	--	\$143,100
CT Mkt. Authority	1	0	\$34,500	4	\$101,700	\$136,200
TOTAL	267	142 + 80 seasonal	\$14.3M	44 + 8pt	\$1.1M	\$15.4 + 1.1M = \$16.5M

pt = part time

Source: LPR&IC staff analysis of data from the State of Connecticut Payroll/Personnel System Selective Class Title Report dated February 28, 1991, and interviews with employing agency staff.

The estimated cost of employees with public safety related functions who hold arrest powers was \$14.3 million. The cost for buildings and grounds patrol staff was \$1.1 million. Another \$1.1 million was spent by the Department of Public Works for private security guards. The estimated total cost for all of the public safety related staff identified in Table III-2 was \$16.5 million.

Table III-3 lists the estimated annual salary expenditures for state personnel with arrest powers who are assigned regulatory enforcement responsibilities. The estimated total cost for FY 91 was more than \$8 million.

Table III-3. Regulatory Function: Estimated FY 91 State Salary Costs for Employees with Arrest Powers (rounded to nearest \$100).			
Agency	Number of Sec. 29 Staff	Number of Non-Sec. 29 Staff	Annual Cost of Staff With Arrest Powers
Dept. of Motor Vehicles	0	155*	\$4,554,500
Dept. of Environmental Protection	0	53	\$2,015,400
Dept. of Consumer Protection	0	14	\$602,700
Dept. of Revenue Services	11	0	\$394,300
Dept. of Agriculture	0	14	\$374,400
Office of the Treasurer	0	9	\$285,000
Div. of Special Revenue	2	0	\$77,800
TOTAL	13	245	\$8,304,100

* Excludes the commissioner of motor vehicles and the three deputy commissioners.

Source: LPR&IC staff analysis of data from the State of Connecticut Payroll/Personnel System Selective Class Title Report dated February 28, 1991, and interviews with employing agency staff.

CHAPTER IV

FINDINGS AND RECOMMENDATIONS

At state agencies, the use of on-site personnel with arrest powers has evolved over time without any central planning and with only limited agency-specific planning. The lack of central planning in part reflects the dispersed nature of state facility control in general. The Department of Public Works has jurisdiction over "the care and control" of all state-owned and leased buildings in the Hartford area, with some specific exemptions. Outside the Hartford area, specific agencies have control over their facilities.

The one consistent gatekeeper for individuals with special police powers has been the public safety commissioner, who appoints persons based on agency nomination. The commissioner's appointment power has always been discretionary. The program review committee believes this authority could have been used to promote standards of need and consistent procedural requirements across agency lines, but was not. This assumed role would fit with the department's broad mission of providing a coordinated and integrated program for protection of life and property of Connecticut citizens.

It is clear that until recently, the subject of special police at state agencies has not been a major concern of the public safety department or its predecessor agency. In the fall of 1990, the then public safety commissioner began an evaluation of special police officers by surveying agencies using these personnel. He issued a preliminary report.

Thus, each state department has been making its own decisions about using agency police. Agencies pay a price for special police, notably in terms of ongoing training. Recently, there has been movement away from special police use. The Department of Veterans' Affairs in mid-1991 relinquished the police powers of its personnel and reclassified those positions to buildings and grounds personnel. The Department of Special Revenue recently downgraded some of its special police positions to buildings and grounds patrol officers. The Welfare Fraud Unit special police in the Department of Public Safety were eliminated when the welfare collection referral amounts were changed.

Although this study focuses on special police, they are not a group that can be viewed in isolation. The overarching question in evaluating the need for special police is how security and safety services are delivered at a variety of state agencies. In that context, agency police are one of many possible tools. This safety and security perspective is different from a law enforcement orientation, which might be the focus when evaluating a municipal police force.

Further, agencies where special police are employed have different characteristics and needs. Before decisions can be made about how to provide safety and security at a particular site, actual security needs have to be identified.

A term used in industrial security circles is "asset" protection, where assets can be company property, goods, and employees. According to security literature, "until the actual threat to those assets is assessed accurately, precautions and countermeasures, even those of the highest quality, reliability, and repute, cannot be chosen except by guesswork." ³

For Connecticut state agencies, the factors involved in this sort of risk analysis, at a minimum, include:

- the mission of the agency and the activities carried out pursuant to the mission (e.g., residential versus office work sites);
- the location and physical characteristics of the agency facility (e.g., the characteristics of the general neighborhood, the size of the property, parking availability and safety, and buildings and grounds access points);
- the number and characteristics of persons accessing the agency (e.g., public, clients);
- the presence of sensitive, vulnerable, or "attractive" features (e.g., narcotics, confidential records);
- actual loss and incident experience (by severity and frequency over time); and
- proximity to local and state law enforcement personnel.

Questioning the need for agency police is not a reflection of how the current agency police are performing. Rather, it is a reflection of how certain it is, in the context of allocating security dollars, that the state requires that level of professionalism to achieve acceptable results. The private sector, for the most part, provides security without on-site personnel with police authority. The question of what, if anything, sets state facilities apart in the need for a law enforcement response different from private sector entities must be considered. A significant

³ The Merrit Company, Asset Protection (1991), p. 2-1.

question is why should the state expect a faster response from local police than other citizens, and at what cost.

Pertinent to these questions is the finding by the program review committee that in some instances, agency police were enforcing motor vehicle laws on municipal streets, off the state grounds they are charged with protecting. These were not cases where an incident began on state property. Beyond the jurisdictional question, this kind of law enforcement does not promote safety and security at state buildings, but supplements municipal police.

There are differences among departments currently using agency police that affect conclusions about need. One significant element to the program review committee was the presence of a custodial, residential component, but there are other factors as well. Four different types of recommendations have been made by the committee with respect to the agencies currently using special police. The four recommendation groups relate to:

- 1) agencies that should cease their use of special police and have security staff only;
- 2) agencies that may need special police, but must justify their use and should use other types of security staff as well;
- 3) agencies that should retain their special police; and
- 4) agencies where the commissioners should have the authority to grant arrest powers for specified areas.

The specific agencies included in each group are identified in the discussion of each category presented later in this chapter. First, recommended changes in the special police process that will apply to all agencies that continue to employ individuals with special police powers are described.

Appointment, Standardization, and Jurisdictional Issues

The program review committee considered giving individual commissioners authority to grant broad police powers to their employees. This would be an expansion of the authority several now have for specific regulatory areas. However, the committee believes it is preferable to have one authorizing agent for the general police powers given to special police.

The program review committee believes general special police powers under C.G.S. Sec. 29-18 should continue to be issued by the commissioner of public safety. The commissioner, as head of the agency containing the state police, can draw on

expertise within the department to determine the appropriateness of granting such power to individuals. However, the process and the responsibilities of the various participants involved in the issuance of special police powers need to be clarified.

The program review committee believes the commissioners of public safety and their predecessors (i.e., state police commissioners) historically have not used their appointment role to promote standardization of special police use. It is apparent to the committee that oversight of agency personnel with special police powers has not been a public safety department priority.

For example, requirements for the type and quality of supervision that special police should receive could have been specified by the Department of Public Safety. Even without such standards, individual requests for special police powers could have been scrutinized more closely prior to the granting of such powers. It appears whatever statement a nominating agency submitted regarding the need for an individual to hold police powers was accepted, regardless of the specificity or particular merit.

The Special Services Unit in the Division of State Police currently processes applications and maintains records for all special police. These tasks seem to be of minimal importance in the unit, and are not even listed in the unit responsibilities contained in the Department of Public Safety administrative policies and procedures manual.

Other examples offer evidence of low priority. The roster of state employees with special police powers apparently has not been updated for several years. Individuals who left state service or whose employing agency requested revocation of their powers continue to be included in the Department of Public Safety active files.

University police with arrest powers under C.G.S. Sec. 10a-142 continue to be carried in the DPS special police files despite an October 1990 letter from the then commissioner of public safety stating that individuals at UConn were no longer considered to have powers under C.G.S. Sec. 29-18. Other individuals at the other state universities presumably should also be deleted from the special police active files because of their alternate appointing authorization.

In some cases, the employing agencies themselves are confused about the special police requirements. For example, the Department of Revenue Services employs an agency police officer to provide security at its central headquarters in Hartford. The individual reports to a fiscal administrative manager. The job specification for the police officer position requires a person to obtain special police powers under C.G.S. Sec. 29-18. The incumbent in the job does not currently have those powers, and it is unclear whether he ever had them.

The program review committee believes the broad scope of authority given individuals authorized to enforce state statutes for security and law enforcement purposes warrants a unified approach to the granting and supervision of those with such power. The Department of Public Safety, as the authorizing agency, should provide specific guidance and sufficient attention to produce an efficient, appropriately monitored system for granting and maintaining special police powers.

At the same time, the employing agencies must understand the responsibilities attendant to the employment of special police and restrict their use to only those areas where alternatives cannot be found. The recommendations presented below apply to all agencies wishing to employ individuals with special police powers and all individuals with such authority.

The Legislative Program Review and Investigations Committee recommends that agencies requesting special police powers from the commissioner of public safety be statutorily required to assess the need for and develop an implementation plan for safety, security, and law enforcement at their facilities prior to the granting of such powers to any of their employees.

Each agency with employees with special police powers as of July 1, 1992, shall submit its plan, including a comprehensive risk analysis that encompasses at a minimum the factors listed below in Table IV-1, to the Department of Public Safety by September 1, 1992. The public safety commissioner shall approve or disapprove such agency plans within 60 days of receipt. Any agency that fails to submit an acceptable plan shall be prohibited from employing any individual with special police powers.

The program review committee recommends the public safety commissioner be required to establish standards for the screening, training, and supervision of special police, the use of weapons, and for other operational policies and procedures, including incident reporting. Each agency shall prepare a policies and procedures manual in compliance with the standards established by the Department of Public Safety. The commissioner of public safety shall determine which special police shall carry firearms.

To retain special police powers for its employees in the future, each agency shall be required to update its risk analysis and modify its security plan, if needed, every two years from the initial approval date. Also, each agency shall review its policy and procedures manual every two years. Each agency shall report the results of the risk analysis update and any plan or policies and procedures changes, to the Department of Public Safety in writing every two years.

The public safety commissioner shall suspend the special police powers of individuals at any agency that fails to report to the public safety commissioner as required, for the period of noncompliance.

The commissioner of public safety shall coordinate policies on local and state police response to state facilities.

Table IV-1. Risk Analysis Factors.

1. The mission of the agency and the activities carried out pursuant to the mission (e.g., residential versus office work sites).
 2. The location and physical characteristics of the agency facility (e.g., characteristics of the general neighborhood, the size of the property, parking availability and safety, and buildings and grounds access points).
 3. The numbers and characteristics of persons accessing the agency (e.g., public, clients).
 4. The presence of sensitive, vulnerable, or "attractive" features (e.g., narcotics, confidential records).
 5. Actual loss and incident experience (by severity and frequency over time).
 6. Proximity to local and state law enforcement personnel.
-

Establishment of this more detailed review process within the Department of Public Safety will require additional staff resources initially. One change that would reduce the workload of the public safety department concerns background checks.

The program review committee recommends the employing agency be required to perform pre-employment background checks on prospective special police candidates. The Department of Public Safety shall provide a standardized form and training in the use of that form to representatives of agencies employing special police. At the time the application for special police powers is submitted to DPS, the

nominating agency shall include a copy of the original background check and an update for the period prior to appointment.

Although the Department of Public Safety will no longer have to perform background checks, it should provide clear criteria for employing agencies to judge information gathered during such checks. In particular, the impact of a criminal record and previous performance while holding special police powers should be delineated. It will be the responsibility of the hiring agency to ensure that all required documentation is submitted to DPS at the time special police powers are requested for an employee.

An area that program review committee believes needs clarification is the jurisdiction of special police. There are different interpretations about the extent of jurisdiction, particularly as it relates to areas off state sites. For example, at some agencies, traffic violations on adjacent local roads comprise a large percentage of the incidents handled by the agency's staff with special police powers.

The program review committee recommends the Department of Public Safety make it clear to special police officers and their employing agencies the scope of the officers' powers at the time those powers are granted. The department should also be more consistent in the wording of the cards it issues delineating the geographical jurisdiction of the officers. In the past, the language on the cards has not always matched what the agency requested, and the cards of employees within the same agency differed.

The program review committee believes that duly designated special police should not be prohibited by their jurisdictional restrictions if in pursuit of someone who committed a crime within their jurisdiction. **The program review committee recommends the statutes be amended to allow persons with special police powers to engage in immediate pursuit.**

Agencies That Should Cease Using Special Police

The program review committee approached the question of need from the perspective that there had to be justification for each agency currently using special police to continue that use. This was based on the notion that each agency using special police under C.G.S. Sec. 29-18 exists in concurrent jurisdiction with local and state police. The agencies discussed below are similar in that they function primarily during daytime business hours. Furthermore, with one exception, they have no residential facilities and operate with relatively small police units, comprised in some cases of only one officer.

Department of Public Works. The Department of Public Works is responsible for the management, maintenance, and security of more than 15 state-owned and

nearly 50 leased buildings, principally in the greater Hartford area. There are an estimated 10,000 state employees working at these sites on a daily basis. The security functions of DPW include periodic cruiser and foot patrols, crowd control, monitoring access to facilities, responding to alarms, handling emergency and medical situations, directing traffic, enforcing motor vehicle and parking regulations, investigating violations and suspicious behavior, arresting persons, and issuing summonses.

DPW is currently staffed with only five agency police and eight buildings and grounds patrol officers. Under a current contract in effect with a private security firm, contract guards provide 1,750 hours of coverage per week at 18 sites. The five police provide on-duty coverage of 17 hours a day during weekdays and 9 hours on Saturdays.

DPW, created as a separate agency on July 1, 1987, was formerly a bureau within the Department of Administrative Services (DAS). Just a year before DPW became a separate agency, DAS hired personnel with special police powers. The program review committee has been told the reason DAS sought agency police in the first place was because it was not satisfied with the responsiveness of either the Hartford or state police to calls for assistance. Although records of those incidents could not be located, the types of incidents recalled for the program review committee did not seem serious, and none involved crimes against persons.

When DPW became a separate agency, and had to request police powers again for the personnel who transferred from DAS, the commissioner of public safety, according to DPW, refused to reissue the police powers "pending a comprehensive statewide review of all instances of C.G.S. Sec. 29-18 police powers".⁴ No statewide review was conducted. In June 1988, when DPW and the state police agreed on a policy requiring state police notification of criminal activity, the issue was apparently cleared up. In September 1990, the state police issued their own internal administrative order establishing the protocol for response to DPW in cases of crimes against persons or crimes against state property.

DPW shared with committee staff the incident log for the time period when the newly formed Department of Public Works was without its own police. In many cases where the log noted the state police refused a call, Hartford police responded. What the logs tend to show is a lack of clear communication between Hartford and state police about the need and responsibility for incidents on state property.

DPW differs from the other agencies using special police. As a government service agency, one of its main purposes is to provide facility services to a wide

⁴ November 6, 1992 written response from the Department of Public Works to program review committee questions.

variety of state agencies in many different settings. This diversity of interests makes planning and assessing security needs critical. However, DPW has never conducted a security audit of the buildings under its jurisdiction. The department unsuccessfully requested funds to hire a consultant to conduct such an audit in 1987. The objective of the audit was to "upgrade the security program, integrate operations, and effect standardization."

The committee staff reviewed DPW incident and enforcement data for calendar year 1990. Table IV-2 shows incident numbers arranged by types. Out of these incidents, there were 72 different cases in which someone was charged with a felony, a misdemeanor, or an infraction. In cases where a person was charged with multiple offenses, the most serious was counted. (Excluded from the 72 cases were 61 infractions issued based on the person's failure to respond to DPW parking tickets.)

In the 72 cases, 6 arrests were made for crimes against persons, 11 for crimes against property, and 6 for crimes against public order. Twenty-five motor vehicle misdemeanors were charged along with 24 motor vehicle infractions. In 39 of the 72 cases in which program review staff could identify where incidents occurred, 21 (54 percent) happened on state property, and 18 (46 percent) took place on municipal streets.

Table IV-2. Incident Data for the Department of Public Works: Calendar Year 1990.

Crimes Against Property Incidents	Crimes Against Persons Incidents	Crimes Against Public Order Incidents
265	18	94

Source: LPR&IC staff analysis of Department of Public Works Incident Reports.

The data indicate a major portion of DPW enforcement activity is related to motor vehicle law enforcement. The program review committee does not believe this activity is relevant to the primary purpose of providing a safe and secure environment at state sites.

One major Hartford business interviewed by committee staff described the mix of tools it uses for security, including its own security guards. The company does not have on-site personnel with arrest authority. Given the comparatively similar nature of the office environments at state agencies and private business, the program review committee does not believe a strong enough case can be made for DPW to have its own police.

The legislative program review committee recommends the police powers held by personnel at the Department of Public Works be relinquished and the agency police positions be changed to buildings and grounds patrol officers. The committee further recommends that a security risk analysis be conducted by the department for buildings under its jurisdiction and the analysis be used to establish a comprehensive security plan.

The Department of Public Works shall enter into written understandings with the city of Hartford and the Department of Public Safety as to which police department will respond to crimes at state buildings. The Department of Public Works shall report annually to the Government Administration and Elections Committee about the state of safety and security at state buildings under DPW jurisdiction.

Even where there is relatively heavy public contact, the state can address the need for on-site security personnel with non-police personnel. The incident data show potential criminal activity is happening at buildings under DPW's jurisdiction, but much of it is property-related. After completion of the recommended risk analysis, information about the nature of those property incidents and where and when they are occurring will enable DPW to take preventative measures to address the problem.

Connecticut Marketing Authority. The Connecticut Marketing Authority operates the Regional Market in Hartford, and is self-funded. Half of its 10 full-time staff are security personnel, including 1 agency police officer and 4 buildings and grounds patrol officers. These employees provide 24-hour security at the market.

The authority began using staff with police powers in 1952. In FY 85, the police staff was reduced from two to one; in 1986, buildings and grounds personnel increased from three to four. At that time, the marketing authority designated the police officer position as one that would not be refilled when the then incumbent left.

The legislative program review committee recommends the special police powers held by personnel employed by the Connecticut Marketing Authority be relinquished and that the current police position be changed to a buildings and grounds patrol officer.

According to the marketing authority, the incumbent in the police officer position is expected to retire in March 1992. The position will then be eliminated, and no one with special police powers will be employed by the authority.

Community Colleges and Central Naugatuck Valley Region Higher Education Center. A mix of personnel is used for security purposes at the various community colleges. Not all community colleges have agency police. Greater Hartford Community College, located in Hartford, has one police officer and three buildings and grounds patrol officers; Housatonic Community College, located in Bridgeport, has one

police officer and one buildings and ground patrol officer (and hires contract guards); and Manchester Community College has four police officers and three buildings and ground patrol officers. Eight community colleges have no agency police.

At Housatonic and Greater Hartford, the police officers essentially supervise the buildings and grounds patrol officers, and at Housatonic, the contract guards. State or local police are called in for criminal incidents.

The Central Naugatuck Valley Region Higher Education Center (CNVRHEC) in Waterbury, which includes Mattatuck Community College and a branch of the University of Connecticut among other facilities, has seven special police (one lieutenant, one sergeant, and five police officers) and two buildings and grounds patrol officers.

The program review committee recommends the police powers currently held by personnel at the community colleges and the Central Naugatuck Valley Region Higher Education Center be relinquished, and the current positions be changed to buildings and grounds patrol officers.

Department of Mental Retardation. The agency police employed by the Department of Mental Retardation (DMR) are located at the Southbury Training School. Nearly 1,000 individuals reside at the school. During FY 91, the department had four agency police; as of fall 1991, there were two.

Unlike other agencies where the program review committee is recommending special police powers be terminated, DMR does have a residential component. However, the training school has a close working relationship with State Police Troop A, located in Southbury, and coordinates any needs related to criminal matters with the troop. The committee believes that relationship could continue without agency police.

The legislative program review committee recommends the special police powers held by personnel at the Southbury Training School be relinquished and the current police positions be changed to buildings and grounds patrol officers.

Parking Violations

A major problem for all agencies that do not have personnel with arrest powers at their facilities is parking control. Current statutes suggest in some cases only special police may enforce parking restrictions on state grounds. To avoid creating a problem by the removal of special police from the agencies previously cited, **the program review committee recommends the pertinent statutes and regulations regarding parking on state grounds be amended to allow buildings and grounds patrol officers to enforce parking provisions at all state agencies.**

Agencies That Must Justify Their Need For Special Police

Agencies included in this section of the report operate residential facilities. The program review committee recognizes their need for some special police, but believes a detailed analysis is required to determine the appropriate number.

Department of Mental Health. The Department of Mental Health provides a variety of programs for persons with severe and prolonged mental illness, those at risk of psychiatric hospitalization, and poor persons suffering from a primary psychiatric disorder. Many patients at DMH hospitals are in the custody of the department.

The department operates three large hospitals, one smaller regional hospital, two mental health centers, and a maximum security facility, Whiting Forensic Institute, located on the grounds of Connecticut Valley Hospital. The large hospitals have campus-like settings, many buildings, and other state agencies co-located on-site, for which the department police provide services.

DMH is the largest user of special police, employing 34 percent of the statewide total. Agency police currently provide around-the-clock coverage at DMH facilities. Daily supervision of the police at each facility is overseen by a lieutenant. A director of safety and security management provides overall coordination and supervision of all special police employed by DMH.

State institutions like the DMH hospitals have had statutory authority to request special police since 1939. Prior to 1976, security was provided at the state mental institutions by institutional security officers. No arrests were made by institution employees until 1976, when the police officer job series with special police powers came into use. Table IV-3 shows incident data from 1990 for selected DMH facilities.

Table IV-3. Incident Data for Selected Department of Mental Health Facilities: Calendar Year 1990.			
	Crimes Against Property	Crimes Against Persons	Crimes Against Public Order
Fairfield Hills Hospital	206 (4)*	755 (11)*	73 (15)*
Conn. Valley Hospital	116	98	18
Cedarcrest Hospital	43	48	118
Whiting Forensic Institute	0	71	4
* Arrest data were reviewed in depth at one facility, Fairfield Hills Hospital. Data in parentheses are the number of arrests made in connection with the number of incidents listed.			
Source: LPR&IC staff analysis of Department of Mental Health activity records.			

Table IV-4 provides some descriptive data for all of the DMH facilities. Included in the table is a calculation of police per-1000-person population, which replicates a statistic used in a state police statewide crime report. The table shows a much higher ratio at DMH facilities compared to the towns in which the facilities reside, suggesting the need to reduce the number of DMH police officers.

Table IV-4. Descriptive Data - Department of Mental Health Facilities.							
	Conn. Valley Hospital	Fairfield Hills Hospital	Norwich Hospital	Cedarcrest Hospital	Gtr. Bdpt. MH Center	Conn. MH Center	Whiting Forensic
Sq. Ft.	1 M +	1 M	1 M +	213,000	230,000	150,000	on the grounds of CVH
Acreage	1,208	825	800	54	4	4	
No. Bldgs.	118	140	100	16	1	7 sites	1
Agencies Co-located (on the grounds of the DMH property)	DCYS, CADAC, Whiting (DMH), Credit Union	DCYS, CADAC, Dept. of Correction, DOT, Horse Guard	CADAC	Div. of Special Revenue, Dept. of Public Works, Bureau of Collections	CADAC	Yale (Univ. and Hospital)	None - Max. Security Facility
DMH Staff (approx.)	880	840	940	270	250	250	260
No. Beds	460	450	450	95	45	45	92
"Total" Population*	1,340	1,290	1,390	365	295	295	352
No. DMH Police	15	11	15	11	8	7	25
DMH Police per 1000 Population	11.19	8.53	10.79	30.14	27.12	23.73	71.02
No. Local Police in Town Where Facility Located	95	31	78	41	372	382	95
Local Police per 1000 Town Popula.	2.69	1.88	2.51	1.99	2.96	3.38	2.69
MH = Mental Health M = million * Total Population is DMH staff plus the number of beds.							
Source: Correspondence from Department of Mental Health, <u>Digest of Administrative Reports to the Governor, 1989-1990</u> , and <u>Crime in Connecticut 1990 Annual Report</u> (Dept. of Public Safety).							

It is important to recognize that in the towns where DMH hospitals are located, the local police may have come to rely on the fact there are police at DMH facilities because of their presence for so many years. Due to this reliance and the nature of the facilities, the program review committee believes it would be premature at this point to recommend a total removal of on-site police presence at DMH facilities.

However, the committee believes the department could consolidate the number of police and provide alternative, less costly, manpower at some of its facilities, notably Whiting Forensic Institute. In regard to Whiting, DMH should examine the staffing used by the Department of Correction at its various facilities where guards without arrest powers are employed.

The Legislative Program Review and Investigations Committee recommends the Department of Mental Health evaluate the current level of police staffing at its various facilities in order to reduce the number of police positions. In particular, DMH should review its need for police personnel at the Whiting Forensic Institute and the regional mental health centers. In addition, DMH should look at ways to centralize police services, such as investigations.

In addition to reports required under previous committee recommendations, DMH shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

Connecticut Alcohol and Drug Abuse Commission. The Connecticut Alcohol and Drug Abuse Commission (CADAC) operates Blue Hills Hospital, an inpatient drug and alcohol treatment facility. The hospital has approximately 100 beds and averages 2,000 admissions a year. Until recently, Blue Hills Hospital was a DMH facility.

The Blue Hills Hospital police have jurisdiction over the building and the grounds of Blue Hills Hospital and two nearby facilities, the Capital Region Mental Health Center, a DMH program, and the Alcoholism Detoxification Rehabilitation Center (ADRC), a publicly funded, privately run center. The police force consists of 10 officers, who work on a 24-hour rotation.

Patients enter Blue Hills Hospital on both a voluntary and involuntary basis. Because of the nature of the services provided at Blue Hills Hospital, the agency police are often involved in protective custody situations, which is a statutory status for intoxicated persons that makes provisions for police officer intervention.

As with DMH facilities, the program review committee does not recommend elimination of on-site special police at Blue Hills Hospital at this time because of its custodial residential nature. However, the committee believes that CADAC needs to consider reducing the number of police.

The legislative program review committee recommends that CADAC evaluate the current level of police staffing at Blue Hills Hospital to reduce the number of police positions.

In addition to reports required under previous committee recommendations, CADAC shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

Department of Children and Youth Services. Long Lane School, located in Middletown and run by the Department of Children and Youth Services (DCYS), is the state's only public juvenile correction institution. It is a 200-acre nonsecure institution, with one secure unit. The entire facility has a capacity of 146 beds.

The agency police report directly to the superintendent. There are 15 police officers at Long Lane and 5 buildings and grounds patrol officers. Essentially because of the custodial residential nature of the facility, the program review committee does not recommend elimination of the special police at this time.

However, the committee believes a variety of other security alternatives need to be examined. For example, in 1989, as part of the program review committee's study of juvenile justice in Connecticut, DCYS was encouraged to install fencing around the Long Lane School. The one-time cost for this physical security device could reduce the need for the current level of agency police. Additionally, DCYS should examine the staffing used by the Department of Correction at its various facilities where guards without arrest powers are employed.

The legislative program review committee recommends the Department of Children and Youth Services evaluate the current level of police staffing at Long Lane School in order to reduce the number of police positions.

In addition to reports required under previous committee recommendations, DCYS shall submit a written report based on its review to the Appropriations Committee of the General Assembly by June 1, 1992, and use the report to prepare its budget request for the fiscal year beginning July 1, 1993.

Agencies Retaining Special Police

Several state agencies that currently utilize special police have unique characteristics or come under federal mandates that require on-site personnel with arrest powers. Agencies included in this group are addressed by the following committee recommendations.

Department of Environmental Protection. The Department of Environmental Protection is the only state agency that employs individuals with arrest powers derived from two separate authorizing sources. Thirty-six employees responsible for security and law enforcement in the state's parks and forests are granted special police powers by the commissioner of public safety under C.G.S. Sec. 29-18. These individuals enforce all state laws on the grounds of the department's recreational properties located throughout the state.

The department also employs over 50 fish and wildlife staff (called conservation officers) granted arrest power by the commissioner of environmental protection directly. Their jurisdiction is focused on conservation laws, but they can enforce other statutory violations observed in connection with their primary mandate. Approximately 80 seasonal employees assigned to state park patrols also receive arrest powers from the commissioner under this statute, but they work under the supervision of the agency's special police.

The program review committee focused on the functions and activities of DEP employees with special police powers. However, information about the conservation enforcement operation was also obtained.

The department uses the same pre-employment screening procedure for all full-time employees with arrest powers, and sends them to a state certified basic training program after they are hired. Seasonal staff are sent to a shorter course. Both the conservation and the enforcement units are under the supervision of the same deputy commissioner.

The Department of Environmental Protection assigns full-time law enforcement officers and sergeants, whose sole function is law enforcement, to the six largest state parks, based on attendance and incident data. They perform patrol functions and enforce penal code statutes, drug and alcohol laws, conservation laws, motor vehicle laws, and boating and park regulations. They also supervise seasonal staff, investigate complaints from the public, serve warrants, and provide security at special events.

At its other 23 parks, DEP uses three levels of park and recreation supervisors, who have multiple areas of responsibility, as the on-site senior law enforcement person with arrest powers. Seasonal patrol officers handle general patrol work, violations of the department's laws and regulations, and routine incidents. The park and recreation supervisors provide overall supervision and handle major law enforcement problems.

Approximately 7,000,000 people visit DEP parks annually. In addition to the many who spend only a portion of a day at a state park, thousands rent camp sites

for one or more weeks per year. During the summer season, there is a large residential population at the DEP campgrounds.

DEP recreational properties contain more than 200,000 acres. These sites are located in rural and coastal lands as well as adjacent to urban areas. Many are remote locations, and some are a considerable distance from the nearest local or state police headquarters.

In addition to protecting state property, DEP law enforcement staff help to ensure members of the public that a visit to a state park will be a safe and pleasant experience. During state fiscal year 1990, DEP employees with special police powers issued 323 warnings and 747 infractions, and made 242 arrests.

The program review committee believes the ability of DEP park personnel to respond quickly and decisively to possibly unlawful activity on the grounds of the state parks is important. All visitors to state parks are transient, and individuals accused of breaking the law may live a considerable distance from the park. The presence of special police officers on site allows the department to deal quickly with major problems and expeditiously with minor ones. In the latter case, the issuance of warnings and infractions with mail-in fines reduces the disruption to the citizen who concurs with the officer's finding of fault.

The program review committee recommends the Department of Environmental Protection be allowed to continue using the special police powers statute for its employees who have responsibility for law enforcement in state parks.

During the past year, DEP has been re-evaluating the need of each of the individuals in the department who has special police powers to retain those powers. As a result, DEP has notified the Department of Public Safety that the powers of at least five people should be revoked. The program review committee believes such reviews should occur periodically. Only those individuals identified as needing special police powers for purposes of general law enforcement at the state parks should retain such authority.

Legislative Management. Although statutory authority for special police at the capitol dates back to 1879, the current configuration of capitol police was established in 1974, shortly after the legislature began annual sessions. Under C.G.S. Sec. 2-1f, the Joint Committee on Legislative Management maintains an Office of State Capitol Security. It is headed by a chief security officer, who must be a member of the state police.

Employees of the security office, called state capitol police, are employees of the legislature with special police powers under C.G.S. Sec. 29-18. They operate on the grounds of the State Capitol and the Legislative Office Building (LOB), but their

jurisdiction extends statewide, if necessary to perform their duties. The major functions of the capitol police include periodic patrols through the capitol grounds, crowd control, handling emergency and medical situations, responding to alarms, traffic control, and investigating suspicious behavior.

The capitol police force was created with seven officers. Since 1988 when the LOB opened, approximately two dozen police have been employed. Currently, there are 3 supervising capitol police officers, 8 senior capitol police officers, and 17 capitol police officers. The chief of security is a state police sergeant.

Staffing levels at the capitol complex vary by shift. A minimum of five officers work the day and evening shifts; on the midnight shift, there are three. Supervising officers work eight-hour shifts, alternating between days and evenings. Special events require additional staff on a shift.

The Capitol and LOB are public buildings that attract more than 100,000 visitors annually. In addition to people who tour the facilities, many citizens come to express their opinions on a wide variety of subjects. The topics considered by the General Assembly are often volatile and result in strong expressions of feeling. In recent years, the Capitol has been the site of an increasing number of demonstrations, and individual legislators have been the subject of written and verbal threats.

The program review committee believes an on-site legislative police force is warranted because of the unique nature of the business transacted at the capitol and the need to provide protection for public and elected officials. **The program review committee recommends the capitol police continue to derive their arrest powers from the special police section of the statutes, C.G.S. Sec. 29-18.**

As recommended for other special police, the legislature's current practice of performing physical exams and background checks prior to employment should continue. Also, as noted for other special police forces, enforcement of traffic violations on adjacent city streets should not be an activity performed by the capitol police.

Backup for emergencies and events requiring a large scale police presence should continue to be provided by State Police Troop H in Hartford. However, in conjunction with the recommendation to eliminate the Department of Public Works police, consideration should be given to the possibility of developing a policy for when the capitol police could assist Troop H and the city of Hartford police at state buildings in the immediate vicinity of the capitol.

Department of Transportation - Groton/New London Airport. The Groton/New London Airport, situated on 400 acres in the Town of Groton, is operated by the Department of Transportation. In addition to eight commuter flights arriving and

departing daily, numerous cargo and private aircraft use the airport. An estimated 90,000 passengers pass through the airport annually.

Federal Aviation Administration (FAA) requirements mandate certain levels of security and police presence at airports, depending on the size of scheduled passenger aircraft using the facility. The Groton/New London Airport is required to screen all passengers and luggage on departing flights that originate there and connect with secure airports elsewhere. The FAA specifications that apply to Groton/New London require airport operators to provide law enforcement personnel with the power to arrest people for crimes committed in the presence of those personnel or for felonies the personnel have reason to believe a suspect committed.

Since 1985, the Groton/New London Airport has used state employees with special police powers to meet the FAA mandates. From a peak staff of nine special police and nine buildings and grounds patrol officers at that time, the airport currently has six of each type of personnel.

The police at the airport are responsible for ensuring compliance with federal aviation regulations, handling bomb threats, attending to medical emergencies, monitoring traffic flow and parking regulations, and generally maintaining the security of the airfield and the traveling public. The airport police also perform fire related duties.

In order to facilitate DOT compliance with federal requirements, **the program review committee recommends the agency police at the Groton/New London Airport continue to hold special police powers under C.G.S. Sec. 29-18.**

Department of Public Safety - Bradley International Airport. Although the Department of Transportation also operates Bradley International Airport, security and law enforcement services are provided by State Police Troop W. Personnel assigned to the troop include members of the state police as well as airport police who receive their arrest powers under C.G.S. Sec. 29-18.

FAA requirements for Bradley International Airport, which handles much larger passenger aircraft than the Groton/New London Airport, mandate more comprehensive security procedures. However, standards for law enforcement personnel are the same.

Until the mid-1970s, airport police employed by the Department of Transportation provided on-site law enforcement services at the airport, assisted by the Windsor Locks Police Department. With an increase in security and policing response required by the FAA, the airport police, who hold special police powers, were transferred to the Department of Public Safety. They were initially

supplemented by state police assigned to the airport on a rotational basis. In 1976, Troop W was established as a permanent troop at the airport.

Staffing levels for the special police and the state police have varied considerably during the past 10 years. From a high of 34 airport police (i.e., those with special police powers) in FY 83, there was a slow, annual decline to a low of 19 in FY 91; currently there are 23. During the same period, state police personnel at the airport have ranged between 14 and 21. There are currently 19 state police officers.

The major responsibilities of the airport police are: foot patrols in the terminals and cruiser patrols of the grounds; investigation of metal detector incidents and door alarms; oversight of curbside parking; and medical emergencies. Only recently, as a result of a stipulated agreement between the protective services union and the state, are airport police officers being allowed to investigate accidents and certain crimes, primarily misdemeanors.

State police personnel handle all major criminal investigations and specialized areas such as bomb detonation. If insufficient airport police are on duty, state police troopers also perform patrol functions.

The need for two different types of law enforcement personnel with arrest authority at Bradley airport is unclear. The assignment of duties is determined by the state police. Yet, the commissioner of public safety is the authorizing source for the special police powers held by the airport police as well as the head of the employing agency for both the airport and state police.

The current structure has been questioned in a number of recent studies. As a result of one of those studies, the Department of Public Safety undertook a task analysis of Troop W functions. The 1989 report describes the functions performed at the airport, identifies the type of personnel assigned to each, and estimates the time required to complete the various tasks. The report lists a number of requirements necessary for airport law enforcement personnel to possess and notes only state police officers meet those criteria. Many of these skills were acquired by the state police personnel prior to deployment at the airport.

Based on current contract provisions and staffing levels, cost is not a decisive factor in any general analysis of this issue. At the present time, average salaries for airport police officers are similar to those of state troopers. Although the salaries of specific employees near the top of a pay range may be greater than the average, factoring in differences in benefits unique to one group or the other shows no clear savings from using one type of personnel versus the other.

The program review committee recommends the Department of Public Safety be required to prepare the same risk analysis for Bradley airport that the committee previously recommended other state agencies employing special police prepare. If the analysis shows not all personnel need the same levels of authority, then the department should consider other security staffing alternatives to avoid the underutilization of its personnel with law enforcement powers.

State Library. The State Library/Supreme Court building is located on Capitol Avenue. It contains the state archives and the Museum of Connecticut History, and it is the site of all state Supreme Court proceedings. The care and control of the building is jointly under the State Library Board and the Supreme Court. There are also state library branch facilities in Rocky Hill, Middletown, and Willimantic.

Currently, there is one agency police sergeant, three agency police officers and one buildings and grounds patrol officer stationed at the library/court building. The museum holdings and the presence of the archives and Supreme Court obviously create security needs at the library building. The program review committee believes the state library needs on-site police personnel.

The program review committee recommends the special police powers held by personnel at the state library be retained.

Agencies Where Commissioner Should Authorize Arrest Powers

In a number of regulatory areas, the heads of agencies are given statutory authority to grant arrest powers to their employees in specific, limited areas. The regulatory agencies discussed in this section do not currently have that authority. Instead their employees must apply for special police powers from the commissioner of public safety.

Department of Revenue Services. The Department of Revenue Services employs 12 tax enforcement agents with special police powers under C.G.S. Sec. 29-18b. These individuals are responsible for investigating complaints and allegations of suspected tax violations, including fraud, failure to file or pay a return, bad checks, alcohol and cigarette smuggling, license background checks, and operating without a permit. Tax enforcement agents also perform inspections, register vendors, and serve tax warrants and subpoenas.

The power of arrest was given to the agents in 1975, under Public Act 75-581. Their authority is limited to those areas of the statutes the commissioner and the Department of Revenue Services are responsible for enforcing. Investigations cover both civil and criminal cases, and arrests may occur anywhere in the state.

The program review committee believes enforcement of tax matters should be handled in the same manner as other areas of state regulatory control where the agency responsible for a program is given authorization to oversee compliance. **The program review committee recommends C.G.S. Sec. 29-18b be eliminated and the commissioner of revenue services be given authority to grant arrest powers to tax enforcement agents employed by the Department of Revenue Services. The municipal police training requirements of C.G.S. Sec. 7-294a, 294d, and 294e shall continue to apply to these individuals.**

Division of Special Revenue. The Division of Special Revenue is responsible for regulating legalized gambling in Connecticut. Employees assigned to the Security Unit of the division: provide security at buildings controlled by the division, including teletheaters; inspect off-track betting parlors, the greyhound track, and the jai alai frontons; perform background checks on licensees; investigate improprieties or criminal activities related to gaming operations; enforce agency laws and regulations; and prepare and serve arrest warrants.

The unit employs investigators, police officers, and buildings and grounds patrol officers, who do not have arrest powers. The police officers derive their arrest powers from the general special police statute (C.G.S. Sec. 29-18). Investigators also have special police powers, but receive their authority under C.G.S. Sec. 29-18c, which limits their jurisdiction to offenses arising from the operation of the off-track betting system or the conduct of lottery games. The division is statutorily limited to employing four such investigators.

The division has taken steps during the past year to assess the level of law enforcement powers needed by its staff. As a result, eight positions assigned to the teletheaters in the state were reduced from police officers to buildings and grounds patrol officers. Table IV-5 shows the current distribution of staff by job title, location, and source of arrest authority, if applicable.

The program review committee believes it is important to maintain the integrity of gaming programs the state has a role in operating or regulating. The state must offer the public assurances that the possibility of winning at a particular game is affected by the odds resulting from the rules of that game and not dishonesty. Oversight of legalized gambling should be handled in the same manner as other state regulatory programs with respect to the granting of arrest powers to staff responsible for regulatory compliance.

The program review committee recommends C.G.S. Sec. 29-18c be eliminated and the executive director of the Division of Special Revenue be given authority to grant arrest powers to investigators employed by the division. The powers of the investigators shall be expanded to all of the types of investigations required by the full

range of programs operated by the division. The limitation on the number of investigators should also be eliminated.

The program review committee recommends that the police officer job title with special police powers under C.G.S. Sec. 29-18 continue to be used for those positions requiring arrest powers at the teletheaters or other similar sites.

The municipal police training requirements of C.G.S. Secs. 7-294a, 294d, and 294e shall continue to apply to all individuals with arrest powers employed by the Division of Special Revenue.

The proposed changes will allow the division to more fully utilize the skills of its existing investigators. It will enable the division to more clearly differentiate between its security and regulatory roles, using the investigator job title for all employees with the latter type of duties as their primary area of responsibility. This proposed restructuring of security positions is intended to give the Division of Special Revenue more flexibility in the use of its staff. It is not meant to expand total staffing, and efforts to further reduce the number of employees with arrest powers should be implemented wherever possible.

Table IV-5. Division of Special Revenue Security Unit Staffing, FY 92.			
Job Title	Location	Source of Arrest Authority	Total No. of Staff
Special Revenue Unit Head	headquarters	29-18	1
Police Lieutenant	1 each for headquarters and teletheaters	29-18	2
Police Sergeant	2 at headquarters, and 4 at teletheaters	29-18	6
Police Officer	8 at headquarters, and 4 at teletheaters	29-18	12
Senior Investigator	headquarters	29-18c	1
Investigator	headquarters	29-18c	1
Bldgs & Grounds Patrol Officer	teletheaters	--	8
Source: Division of Special Revenue.			

Supplemental Recommendations

The primary focus of the program review committee's study was on state employees with special police powers. During the course of the review, however, the statutory authority and roles of nearly all state employees with arrest powers were identified. In analyzing the operations of the many agencies with these personnel, the committee found several situations it believes the employing agency needs to consider changing. The recommendations in this section do not affect individuals with special police powers.

Department of Motor Vehicles. Arrest authority is granted to employees of the Department of Motor Vehicles by the commissioner of motor vehicles under C.G.S. Sec. 14-8. In addition to the commissioner and deputy commissioners, employees in the inspector job series (i.e., inspectors, sergeants, and lieutenants) may be granted such authority. The latter personnel may be assigned to the dealers and repairers unit, the commercial vehicle safety unit, or a branch office.

In March 1986, the final report of the Protective Services Job Evaluation Committee, which studied protective services classifications as part of the state's objective job evaluation process, recommended creation of two motor vehicle inspector job classes. The existing motor vehicle inspector title would continue to be used by individuals conducting driver tests and inspections at branches. A new motor vehicle inspector specialist class would be created for those employees in the dealers and repairers area and the commercial safety unit. Corresponding changes in the supervisory inspector classes were also recommended.

The program review committee believes this proposal, currently on appeal to the state Office of Labor Relations, is a good approach for dealing with a large group of similarly titled employees, only some of whom need arrest powers. In the absence of such a change, the program review committee encourages the commissioner of motor vehicles to develop an internal policy for granting arrest powers only to "inspectors" performing functions identified as requiring such authority.

University Police Departments. In the 1970s, the state-operated universities were given authority under C.G.S. Sec. 10a-142 to establish police forces. Personnel were given the same duties, responsibilities, and authority as members of local police departments. This authority included the power of arrest. Previously, such individuals would have had to apply to the commissioner of public safety for special police status under C.G.S. Sec. 29-18.

These police departments were not discussed earlier because their employees should no longer be considered to have special police powers. However, in keeping with the intent of other recommendations, the program review committee believes the

state universities need to evaluate opportunities for consolidation and centralization of their police departments.

The program review committee recommends the University of Connecticut evaluate the possibility of combining the main police force in Storrs and the University of Connecticut Health Center police force into one department. As part of the evaluation, the university should particularly assess the need for security personnel at the health center to have arrest powers. The possibility of reducing staffing requirements is especially important during this period of shrinking state government resources.

The program review committee also recommends the Connecticut State University consider consolidation of the police departments at the four individual campuses (Central, Eastern, Southern, and Western) into one police force under a single chief of public safety and security. Centralizing all policing operations of the Connecticut State University would facilitate standardization for the prescreening of applicants and ongoing training of employees. It would also allow for development of a comprehensive plan for safety and security at all of the state university campuses.

Department of Agriculture. The Department of Agriculture employs 14 individuals in its canine control program. C.G.S. Sec. 22-328 requires the commissioner of agriculture to appoint staff to carry out statutory and regulatory programs concerning dogs and other animals. For enforcement purposes, C.G.S. Sec. 22-330 grants those employees the same arrest powers as sheriffs, police officers, or constables.

Most arrests arising from the work of the canine control staff are effected by warrants served by local or state police. The primary focus of law enforcement activity by Department of Agriculture staff is summonses and infractions. However, agency staff need arrest powers to issue those.

During calendar year 1990, canine control staff inspected 1,316 facilities, investigated 3,262 incidents and complaints, captured 1,170 dogs, and provided advice to over 3,000 people. They issued 567 written warnings, 609 infractions, and 9 summonses; they made 4 arrests.

The program review committee believes canine control staff should continue to receive their arrest authority from the commissioner of agriculture. This is consistent with the authority given to other agency heads with responsibility over specialized regulatory areas. However, the program review committee recommends standardized background checks and training be required for all staff with arrest powers.

Special Deputy Sheriffs. As noted in Chapter I, special deputy sheriffs who work for the high sheriffs oversee the provision of courthouse security, prisoner transportation, and process service. Most of the special deputy sheriffs monitor courtrooms, run metal detectors, and move prisoners within the courthouses. In FY 92, there are 547 full-time-equivalent special deputies, 472 of whom are assigned to courtroom security. The remaining 75 are assigned to prisoner transport.

A five-member sheriff's advisory board is responsible for providing coordination between the high sheriffs. However, traditionally, most operational aspects affecting special deputies have varied from county to county, dependent upon each high sheriff.

The Commission to Study the Management of State Government, a 21-member commission charged with reviewing and analyzing government functions, studied special deputy sheriffs in 1990. As a result, legislation was introduced and passed during one of the 1991 special sessions requiring the advisory board to:

- establish minimum qualifications for courthouse security personnel;
- develop a standardized test to determine the qualifications, fitness and ability of applicants to perform the duties of courthouse security personnel;
- conduct a background investigation for each applicant; and
- require each applicant to undergo a physical exam.

The legislation also reemphasized the need for standardized training.

These requirements became effective September 1, 1991. The program review committee concurs with the changes, and believes at this time it would be premature to make any further recommendations in this area, pending the work of the advisory committee.

APPENDICES

APPENDIX A

Job Titles of State Employees With Arrest Powers

Tables A-1 and A-2 list the job titles for the state personnel with arrest authority that were included in the program review committee's study. The titles are grouped according to the statutory source of the arrest authority. They are separated into those with authority from the commissioner of public safety (Table A-1) and those with authority from the head of the employing agency (Table A-2). In both cases, the number of personnel in each job title, as of February 1991, and the agency where the employees work are also included.

Table A-1. Job Titles of State Personnel with Arrest Authority from Public Safety Commissioner, by Source of Authority.

Statutory Source (C.G.S. Sec.)	DAS Job Title	D P W	State Lib.	D M H	D P S	D S R	D C Y S	D O S CADAC	D M R	D O T	C M A	Comm Coll.*	CNV Regl Hg Ed Ctr	Legis Mgt	D E P	D R S	Total
29-18 State Buildings and Grounds	Protective Services Trainee (Police)			4	4					1			1				10
	Police Officer	3	3	64	17	13	11	7	3	6	1	2	4				134
	Police Sergeant	2	1	24	2	6	3	3		1		3	1				46
	Police Lieutenant			6		2	1	1	1			1	1				13
	Mental Health Director of Safety/Security			1													1
	Capitol Police Officer													17			17
	Sr Capitol Police Officer													8			8
	Capitol Police Supervising Officer													3			3
	Law Enforce. Officer														5		5
	Law Enforcement Sgt.														2		2
	EP Parks and Rec. Supervisor 1														7		7
	EP Parks and Rec. Supervisor 2														15		15
	EP Parks and Rec. Supervisor 3														5		5
	Rec. Law Enforcement Program Coordinator														1		1

Statutory Source (C.G.S. Sec.)	DAS Job Title	D P W	State Lib.	D M H	D P S	D S R	D C Y S	CADAC	D M R	D O T	C M A	Comm Coll.*	CNV Regl Hg Ed Ctr	Legis Mgt	D E P	D R S	Total
29-18b Revenue Services	Tax Enforcement Agent															2	2
	Tax Enforcement Senior Agent															9	9
29-18c Special Revenue	Special Revenue Investigator					1											1
	Special Revenue Senior Investigator					1											1
Total From All 29-18 Sections																	280

DAS = Department of Administrative Services
CMA = Connecticut Marketing Authority
EP = Environmental Protection

* Includes police personnel at four community colleges -- Greater Hartford, Housatonic, Manchester, and Middlesex.

Source: State of Connecticut Payroll/Personnel System, Selective Class Title Report, February 28, 1991, and agency survey responses submitted to the Department of Public Safety, October 1990.

Table A-2. Job Titles of State Personnel with Arrest Authority From Head of Employing Agency, by Source of Authority.

Statutory Source	Job Title	DEP	AGR	DMV	DCP	Univ. of Conn.	UConn Health Center	Conn. State Univ.	Treas	Total
26-5 and 26-6 DEP Conservation	Conservation Officer	40								40
	Conservation Sergeant	6								6
	EP District Law Enforcement Supervisor	3								3
	EP Regional Law Enforce. Supervisor	1								1
	Supervisor Boating Enforcement and Special Services	1								1
	EP Asst. Director Law Enforcement	1								1
	Director Law Enforcement	1								1
22-328 Canine Control	Canine Control Asst. Regl. Officer		3							3
	Canine Control Regional Officer		2							2
	Canine Control Officer		9							9
10a-142 Universities	Protect. Services Trainee (Police)					2		5		7
	Police Officer					29	9	50		88
	Police Sergeant					8	3	11		22
	Police Lieutenant					4	3	4		11
	University Police Detective					3	1	1		5
	University Police Captain					1				1
	Major (operational title)					1				1
	Chief of Police (operational title)					1	1	4		6

Statutory Source	Job Title	DEP	AGR	DMV	DCP	Univ. of Conn.	UConn Health Center	Conn. State Univ.	Treas	Total
14-8 Department of Motor Vehicles	Motor Vehicle Inspector			117*						117
	Motor Vehicle Sergeant			31**						31
	Motor Vehicle Lieutenant			7						7
	DMV Deputy Commissioner			3						3
	DMV Commissioner			1						1
21a-261 Department of Consumer Protection	Consumer Protection Drug Control Agent				10					10
	Consumer Protection Drug Control Principal Agent				4					4
31-349a Second Injury Fund	Special Investigator								6	6
	Lead Special Investigator								2	2
	Supervising Special Investigator								1	1
Total From All Non-Section 29-18 Statutory Sections										390

* There were also 14 part-time or unscheduled inspectors.

** There was one unscheduled sergeant.

Source: State of Connecticut Payroll/Personnel System, Selective Class Title Report, February 28, 1991, and LPR&IC staff interviews and job specification analysis.

APPENDIX B

Agency Responses



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC WORKS

February 20, 1992



Bruce L. Morris
Commissioner

Mr. Michael L. Nauer, Director
Legislative Program Review and Investigations Committee
State Capitol - Room 506
Hartford, Connecticut 06106

Dear Mr. Nauer:

This is in response to your February 14, 1992 letter providing me with an opportunity to comment on the State Protective Services Report. I have completed my review of this report and I take exception to the recommendation to eliminate the Department of Public Works' police authority under Section 29-18.

Department of Public Works Comments:

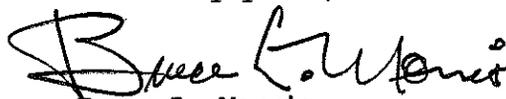
1. The study suggests that Department of Public Works had never conducted a security audit for the buildings under our jurisdiction. In fact, a thorough analysis of each security assignment was conducted by our Director of Safety and Security which resulted in changes to the security provided. These modifications included automation vs. security personnel, eliminating certain security posts, changing from State security personnel to private security personnel and initiating posts and duties for Department of Public Works' police officers.
2. Page 35, paragraph 4 details statistics of types of incidents and enforcement by DPW Police. These statistics do not reflect the actual amount and type of work performed. In 1990, 1,420 calls for service were answered by the DPW Police, including numerous criminal and motor vehicle arrests. In 1991, the total cases handled by DPW Police increased to 2,060 calls. The types of enforcement done by DPW police are, in fact, relevant to a safe and secure environment for the State facilities and grounds under DPW care and control.
3. Page 35, paragraph 5 of the report states that a major Hartford business does not have arrest authority for their security personnel. It should be noted that Hartford area businesses are not, in fact, eligible. New Haven allows private organizations police authority and many have had their staff vested with police authority. Also, non-State agencies such as the Bridgeport Hydraulic Company, the Metropolitan District Water Company and the U. S. Submarine Base are vested with Sec. 29-18 police authority. Perhaps they should have been a part of the study.
4. Many Public Works' buildings are located in high crime areas and house agencies whose clients can cause a serious threat to other clients, visitors or staff. Our facilities include: State courts, the State Data Center and various public hearing rooms. In addition, millions of dollars of narcotics and drugs are stored in these facilities, along with evidence involving criminal and medical cases. The need for police authority is clearly demonstrated in the report statistics.

5. It is important that DPW Police Officers be allowed to retain their arrest powers. If population were used as a criterion for specific justification for Police Officers to be retained, the annual population of DPW facilities would equal, or far exceed, the population used as an example on page 44, paragraph 4.
6. DPW Police Officers have the necessary knowledge to perform their functions under Sec. 29-18 and also the critical knowledge needed to contact appropriate on-site facility personnel for the handling of emergencies, i.e. building alarms, structural problems, etc. This is very cost effective compared to alternative methods.
7. The 1990 Study of Capitol Police forces in the United States is enclosed. Please note there is no one way of providing protection. You will, however, find examples of the Public Works' program of providing automation, guards and police officers. This is an effective method for meeting our needs and is done in the most economical manner. At current wage levels, the conversion of Police Officers to Building and Grounds Officers would only be a \$40,000 per year savings. This savings is minimal in relation to the loss of service that we can provide visitors and employees.

In conclusion, the decision to vest DPW Police with Section 29-18 authority was necessary so that DPW could be pro-active rather than reactive. State and local police do not patrol our properties. If an incident occurred, it was simply documented. In many cases, police would decline to respond or there was a major lag in response. The present program allows us to react immediately for police services and concentrate our patrol activities in areas of concern.

I strongly recommend that the Department of Public Works retain Section 29-18 special police authority as a significant component of our overall safety and security program for the State facilities and grounds under our care and control.

Sincerely yours,


Bruce L. Morris
Commissioner

BLM:JPP:l

xc: Hon. Joseph H. Harper, Jr., Senator
Co-Chairman
Hon. Robert D. Bowden, Representative
Co-Chairman



STATE OF CONNECTICUT
BOARD OF TRUSTEES OF COMMUNITY - TECHNICAL COLLEGES

61 Woodland Street - Hartford, Connecticut 06105-2392 - Telephone: (203) 566-8760

February 24, 1992

TO: Michael L. Nauer
Director of Legislative Program Review and Investigations
Committee

FROM: Andrew C. McKirdy 
Executive Director

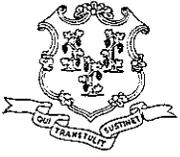
SUBJ: Legislative Program Review and Investigations Committee Report
on State Protective Services

Thank you for providing the opportunity to comment on the report on State Protective Services.

The community-technical college system is impacted by the recommendation included in the report which states "that police powers currently held by personnel at the community colleges and the Central Naugatuck Valley Region Higher Education Center be relinquished and the current positions be changed to Buildings and Grounds Patrol Officers". We are concerned that there will be a negative impact should this recommendation be adopted, which most significantly would affect Manchester Community College and the CNVR Higher Education Center. These concerns are addressed on the attached comments prepared by the President of Mattatuck Community College on behalf of the CNVR Higher Education Center and the Dean of Administrative Affairs on behalf of Manchester Community College.

In advance, we thank the committee for its attention to the concerns raised in the attached documents.

AMcK:MH:mp
atts.



STATE OF CONNECTICUT
BOARD OF GOVERNORS FOR HIGHER EDUCATION
"Board of Trustees of Community - Technical Colleges"
MATTATUCK COMMUNITY COLLEGE

Office of the President

STATEMENT CONCERNING PROTECTIVE SERVICE OFFICERS AT THE
CENTRAL NAUGATUCK VALLEY REGION HIGHER EDUCATION CENTER

This statement is written on behalf of Mattatuck Community College as well as the Administrative Council of the C.N.V.R. Higher Education Center in Waterbury, Connecticut. We are very concerned about a legislative program review that recently took place regarding Protective Service officers in general, and in particular, the proposed demotion of police officers to building and grounds personnel at the Higher Education Center.

The Higher Education Center is a unique, shared educational facility which houses Mattatuck Community College, Waterbury State Technical College and a portion of the University of Connecticut - Waterbury. In addition, Charter Oak College, Bridgeport Engineering Institute and Central Connecticut State University offer courses and/or services at the facility. Offices for the Connecticut Department of Labor and the Western District State Police Traffic Squad reside at the Center.

The credit and non-credit enrollment each semester ranges between 6,000 and 8,000 students. Additionally, a large number of state agencies use the campus for a variety of special programs and activities; over 35,000 outside visitors used the HEC facilities during the 1990-91 academic year.

The campus covers 135 acres and has over 750,000 square feet of building space and millions of dollars worth of computer, laboratory, audio-visual and office equipment.

The Police Department on campus is comprised of one Police Lieutenant, one Police Sergeant and five police officers who cover 3 shifts, 7 days a week, 365 days a year. The Police Department handles all investigations, both criminal and motor vehicle, security for all events on campus, bank deposits for all institutions, VIP protection for guests and lecturers, fire protection, HAZMAT protection, OSHA, medical emergencies, all communication services, fire alarms, building alarms and holdup alarms. The campus is also used by the City of Waterbury for their Emergency Operations Plan, in conjunction with our Police Department.

The C.N.V.R./ H.E.C. Police Department also patrols the UConn Waterbury campus on Hillside Avenue, and provides service to the UConn Coop Bookstore as well as to the cashiers for their bank deposits. The Police Department annually handles close to \$7,000,000 in bank deposits for all institutions on the two campuses.

Mattatuck serves as the administrative offices for and is located at:
The Central Naugatuck Valley Region Higher Education Center

750 Chase Parkway • Waterbury, Connecticut 06708

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(2)

For the most part, the Police Department at the Center handled their investigations without calling in the Connecticut State Police or the Waterbury Police Department. The Police Department at the Center assisted the Connecticut State Police on I-84, which runs in front of the Center, nine times last year and also apprehended two fleeing felons at gunpoint on our campus.

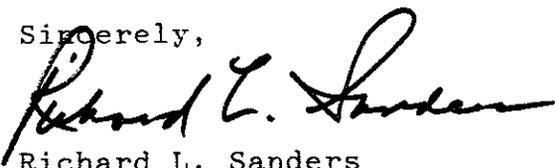
The police officers at the Center are trained at the Connecticut State Police Academy for 22 weeks and carry weapons while on duty. The officers are emergency medical technicians and repond to all medical emergencies on campus as well as filling in for the school nurse when she is not on duty. This is necessary since the HEC is heavily scheduled with classes during the day, evenings and on weekends. 233 students at Mattatuck are disabled; 29 students are either non-ambulatory or semi-ambulatory, 24 are sight impaired and 15 are hearing impaired and might require assistance in emergencies or evacuations. Most of the officers have degrees in Criminal Justice or related fields and receive annual training at the Connecticut Police Academy, the Waterbury Police Department and the State's Attorney's Office. They are the first responders to all emergencies on campus: fire, motor vehicle accidents and criminal activity.

During 1991, the most recent year for which we have complete data, the Police Department handled 2,991 calls for assistance, 116 motor vehicle infractions, 29 arrests, 3 warrants, 5 fires, 10 fire alarms, 14 hold-up alarms, 15 motor vehicle accidents, 30 medical assists, 4 bomb scares, 8 crimes against persons, 76 crimes against property, 28 crimes against public order, and 27 miscellaneous calls.

The police officers at the HEC take great pride in the professional work they do. They serve the many students, staff as well as the community in an outstanding fashion. If the recommendations of the Legislative Review Committee to rescind the police powers of the police officers at the HEC are enacted, it will result in a severe reduction of crucial services at the Center and seriously increase the risk to health and safety for users of the the HEC. On behalf of the thousands of students and citizens who will be impacted, I ask you to reconsider the recommendation carefully before making an unwise decision.

Thank you for your consideration and time in a matter so very important to us.

Sincerely,



Richard L. Sanders
President



STATE OF CONNECTICUT

Department of Higher Education

Department of Higher Education.
Students with Disabilities
Enrollment Survey

College/University Mattatuck Community College

Address 750 Chase Parkway, Waterbury, CT 06751

Submitted by Michele F. Taylor, BSN, RN

Telephone No. 575-8035

1st semester 1991-92 Academic Year Date: 2/18/92

Student Data (Headcount)

Male

Female

Disability Type	Male							Female						
	A	B	H	I	N	U	W	A	B	H	I	N	U	W
Non-ambulatory							4							4
Semi-ambulatory			1				10							10
Coordination														
Sight		2	1				9							12
Hearing							3		1	1				10
Speech		1												1
Learning/Cognitive		2					38	1	6	1				45
Emotional/Psychiatric			1				2							3
Chronic Health		2					26		2	2				33
Total		7	2				92	1	9	4				118
*Multiple							13							8

Describe your method/methods of data collection and source of documentation.

*Multiple - Students with more than one disability type.

Race/Ethnicity according to categories listed in HEGIS REPORT.

A - Asian or Pacific Islander
B - Black Non-Hispanic
H - Hispanic
I - American Indian or Alaskan Native

N - Non-Resident Alien
U - Unidentified Disability
W - White Non-Hispanic

Rev. 1/24/91

61 Woodland Street • Hartford, CT 06105

An Equal Opportunity Employer

MEMORANDUM

TO: Andrew C. McKirdy, Executive Director February 20, 1992
Board of Trustees of Community-Technical Colleges

FROM: Thomas N. Bavier, Dean of Administrative Affairs
Manchester Community College

SUBJ: Legislative Program Review and Investigations Committee
Staff Recommendations RE: Police Officers

It is with deep concern for the safety of faculty, staff and students at Manchester Community College and other Connecticut community colleges that I write you regarding the Legislative Program Review and Investigations Committee's proposal to remove police powers from police officers in our system. While my remarks relate to our specific situation at Manchester Community College, I know from speaking with Greater Hartford, Mattatuck and Housatonic community colleges that our concerns are shared by them and other colleges within our system.

I understand that the Program Review Committee staff has recommended that police powers currently held by police officers within our system be relinquished and that those who currently occupy police officer positions be reclassified to buildings and grounds patrol officers. Manchester's four police officers are split between the first and second shifts. The extensive training they received at the State Police Academy includes certification as Medical Response Technicians which we believe is absolutely essential for the safety and health of our students and staff. Manchester has a part time nurse who works seventeen and a half hours a week. Her primary responsibility is to provide information to students on current health issues such as: "Quitting Smoking", "Aides Awareness", "Monitoring Your Health" and "Diet, Exercise and Health". She is often not available to respond to medical emergencies. Classes are in session during the week more than sixty hours between Monday and Friday. At any one time there may be several thousand students on our campus. As the average age of our students has increased over the last several years we have had a significant increase in medical emergencies. In 1991, for example, there were 82 medical incidents (29 of them required emergency assistance). All of them were handled by campus police officers. Buildings and grounds patrol officers can only be required to be certified in CPR. They would not be able to put together an emergency response manual which includes building evacuation plans, bomb threat procedures, rape/assault procedures, power failure and fire and gas leak procedures.

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Manchester Community College is located on 164 acres. We have nearly three miles of roadways and parking lots for more than 2500 vehicles. We had 39 motor vehicle accidents during 1991. All of them required investigations and reports. Knowing how to direct traffic is not the same as putting together a traffic control plan for the first three weeks of classes each semester when our parking lots and roadways overflow with traffic. A police officer is trained to put together such a plan.

We have fire alarm systems throughout our campus of more than 230,000 square feet that need to be inspected and monitored. The Occupational Health and Safety Administration (OSHA) requires that we have a hazardous materials data collection program and that we train those who handle hazardous materials how to label them and handle them safely. We are expected to comply with State fire codes and handicapped accessibility codes. The Connecticut Campus Safety Act, Public Act 90-259 requires that all institutions of higher education in the State prepare a annual Uniform Campus Crime Report concerning Crimes committed on campus. All of this is done by police officers at Manchester Community College. Buildings and grounds patrol officer simply would not be able to do this work.

Drug abuse is a national problem. It exists on our campuses as it does throughout our society. Police officers are trained in the laws that prohibit drug abuse. They are made aware of what to look for in assessing the potential for drug abuse on our campus and how to handle such cases without endangering the lives of others.

Finally, to conclude that police officers are not needed on our campuses because of the few arrests that have been reported misses the point. Police officers are trained to prevent crimes and accidents. They are trained in crisis intervention, criminal law, motor vehicle laws, fire safety, report writing, self defense, accident investigations, medical response and first aid. By completing their training of between 16 and 18 weeks from 8:00am to 8:00pm college police officers join the ranks of other professional police officers who are dedicated to enforcing the law and maintaining a safe and healthy working environment for students and staff on our campuses. There are no educational or training requirements for Buildings and Grounds Patrol Officers. The minimum qualifications for this position require "interpersonal skills, communication skills; ability to think and act quickly in an emergency with judgement and discretion." These are not sufficient qualifications to ensure the safety and health of our students and staff.

TNB:dk

c: J. Daube