



# STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY- INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)

PROPERTY	2=URNED 3=COUNTERFEIT/FORGED 4=DAMAGED/DESTROYED 5=RECOVERED 6=SEIZED 7=STOLEN 8=UNKNOWN 9=FOUND E=EVIDENCE	EST VALUE								
QD ID	DESCRIPTION	BRAND	MODEL	YEAR	STATE	REG	MAKE	MODEL	COLOR	VIN/SERIAL NO.
E 1	H&R model 929 9 shot blue finished 22 cal.	H&R	929							
E 5	22 caliber bullets									

VEHICLE	YEAR	STATE	REGISTRATION	MAKE	MODEL	COLOR	VIN/SERIAL NO.	INSURANCE COMPANY	POLICY NUMBER
	2005	CT		SUBA	LEGACY	BLK		METROPOLITAN GROUP	

Action Taken: On 01/29/10 at approximately 2142 hours, I was dispatched by the Troop B desk officer to 325 Main St. in the Town of Salisbury for the report of an alarm at the Litchfield Bank Corporation.

At approximately 2211 hours, I arrived on scene and met with the key holder Susan Dickinson, DOB 08/16/49, and her husband, Edward Dickinson DOB 08/15/55. Susan informed me that they arrived a few minutes earlier, drove around the building and did not see anything unusual. I then escorted them to the back of the building where Susan unlocked the back door and I opened it. As I opened the back door I immediately observed a wool hat, a pair of brown boots on the floor and broken glass from the window next to the door on the floor.

I then asked Mr. and Mrs. Dickinson to wait outside and I entered the building. As I walked into the building I made an immediate left turn into an adjacent room. As I entered the room I turned, looked to the right, and observed a white male walking around with in the lobby of the teller area. I immediately began giving verbal commands for him to get down on the ground. The subject looked unsteady on his feet and I could clearly see both of his hand were empty. The subject had the zipper to his pants undone, was wearing multiple coats, dark blue pants and suspenders. I continued to give him verbal commands and approached the subject. The subject did not listen to any commands given and would mumble at me. I then grabbed his left arm extending it outward and pushed on his triceps with my arm forcing him to the ground. I continued to give him verbal commands while on the ground and placed him in handcuffs.

As the male was secured, a pat down search was conducted for my safety. The male was later identified by his CT Operators license, as Elmore R. Torn, DOB 02/06/1931. While searching Torn I could smell the strong odor of alcoholic beverages on his person. I observed Torn's eyes to be glossy and bloodshot. I searched Torn further locating a revolver in his right jacket pocket. The revolver was a H&R model 929 22 caliber revolver with serial # [redacted]. The revolver was loaded with 9 rounds of ammunition. Torn was then sat down on a chair in the lobby of the bank while Troop Connolly #527 and TFC. Prusinowski #440 searched the rest of the bank. Torn seemed highly disorientated. Torn asked why we took him out

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN, DEPOSES AND SAYS THAT, I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER [redacted] THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS [redacted] DEPARTMENT OR (3) INFORMATION RELAYED TO ME BY ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS [redacted] INFORMATION SO RECEIVED BY ME.

INVESTIGATOR SIGNATURE: <i>[Signature]</i>	INVESTIGATOR I.D.#: 1022	REPORT DATE: 1/29/10	SUPERVISOR SIGNATURE: <i>[Signature]</i>	SUPERVISOR I.D.#: 140	DATE: 01.30.2010
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of his house. Torn repeatedly asked why we placed him in handcuffs and when we informed him that he was in a bank carrying a gun he would ask the same question again. While speaking with Torn I observed that he was not wearing any foot wear and his hair looked disheveled as if he had just removed a hat. When asked if the brown boots and wool hat near the back door were his Torn stated yes.

While on scene Troop Loftis #394 obtained a written statement from Edward B. Dickinson. Edward stated that he and his wife, Susan, were called by the alarm company for an alarm at the bank. Edward stated that they arrived shortly before the trooper arrived on scene. Edward stated that they drove around the building and did not see anything unusual. Edward stated that they went to the back of the building with the trooper and observed a pair of boots on the floor. Edward stated they the trooper entered the building and they backed away. Edward stated that he heard the trooper yelling "Get Down". Edward stated that he ran over to a nearby window and saw the trooper on top of the man. (See Attached Statement)

Torn was then escorted out of the bank at approximately 2238 hours. Torn was unsteady on his feet and I had to hold him up so that he would not fall. At approximately 2240 hours Torn was placed in my cruiser and given his verbal rights. Torn was then transported to Troop B in North Canaan. Torn was read his rights again via the JD-CR-5 notice of rights form which he signed at 2302 hours. At approximately 2303 hours Torn was asked if he wished to contact someone or an attorney. Torn stated that he did not have anyone to call.

While Torn was in the processing room I performed the Horizontal Gaze Nystagmus test on him. Torn was asked to stand with his hands by his side and his heels and toes touching. Torn lost his balance twice requiring him to stop himself from falling by putting his arm on the nearby wall. Torn was asked if he was on any medication and if he could see my finger as I held it in front of him. Torn stated that he was not on medication and he could see my finger which he was able to touch the tip of. Torn was then instructed to follow my finger with his eyes only keeping his head perfectly still. Torn was asked if he understood the directions and he stated yes. I then began the Horizontal Gaze Nystagmus. Torn began to move his head while following my finger. I again instructed Torn to not move his head only his eye. Torn was able to keep his head still during the rest of the test. Torn exhibited equal pupil size and tracking, a Lack of Smooth Pursuit, an onset of Nystagmus prior to 45 Degree and distinct Nystagmus at maximum deviation.

Torn was then asked if he would submit to a Breath test on the Intoxilyzer, which he stated that he would. Torn was asked to blow into the machine and the results indicated that at approximately 0004 hours on 01/30/10 his BAC was .203. Torn was provided a copy of the results. (See Attached Copy)

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INVESTIGATOR SIGNATURE	INVESTIGATOR I.D.#	REPORT DATE	SUPERVISOR SIGNATURE	SUPERVISOR I.D.#	DATE
<i>[Signature]</i>	1020	1/30/10	<i>[Signature]</i>	104	01/30/2010



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The above two test were conducted to document Torn's level of intoxication.

Based on the fact Torn unlawfully entered and remained in the building while armed with a deadly weapon, entered and remained in the building, broke the window to enter the building, was intoxicated while in possession of a firearm and did not have a permit to carry the firearm. Torn was charged with Violations of Connecticut General Statutes 53a-101 Burglary 1st degree, 53a-117 Criminal Mischief 3rd degree, 53a-108 Criminal Trespass 2nd degree, 53-206(D), and Illegal possession of a firearm while intoxicated and 29-35(a) Failure to have pistol permit. Respectfully Torn was processed under UAR 7781029. Torn was held a \$100,000 cash bond set by the duty supervisor. Torn was given a court date of 02/01/10 at approximately 0900 hrs at GA 13 in Bantam.

At approximately 0037 hours prior to placing Torn into a holding cell he was again asked if he wish to contact anyone or an attorney to which he refused.

A query listing Torn's registered firearms and permit information indicated that he did hold a pistol permit however his permit expired as of 10/11/2007. (See Attached Information)

The pistol was seized and placed into evidence according to State Police Departmental Policy and Procedures. A NCIC query of the firearm seized was conducted. This firearm was not stolen however it was not listed as one of the firearms in the firearms registration database for Torn. (See Exhibits Below and Attached JD-CR-18)

Exhibits:

1. One (1) H&R model 929, 9 shot, blue finished, 22 caliber pistol. Serial #AM83399
2. Nine(9) 22 caliber bullets taken from H&R model 929 pistol Serial #AM83399 Bullets are Remington brand.

On 1/30/10 at approximately 1800 hours Attorney Thomas Waterfall, 32 City Hall Avenue Torrington (860) 482-7651, came to Troop B to speak with Torn. Attorney Waterfall and Torn were provided a private interview room so both could speak privately without police or other prisoners in the immediate area.

On 1/30/10 at approximately 1730 hours Frederick J. Tedesco Security Officer for Litchfield Bank Corporation and Northwest Community Bank

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INVESTIGATOR SIGNATURE:	INVESTIGATOR I.D.#:	REPORT DATE:	SUPERVISOR SIGNATURE	SUPERVISOR I.D.#	DATE
<i>TAM</i>	1834	1/30/10	<i>Sgt. Fred Tedesco #162</i>	162	01-30-2010



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provided me with nine(9) still photographs from video cameras at the bank (see Attached Photos).

- Photo #1: depicts Tpr. Parker and Tpr. Connolly searching Torn
- Photo #2: depicts Tpr. Connolly searching Torn.
- Photo #3: depicts Tpr. Connolly searching Torn.
- Photo #4: depicts Tpr. Connolly searching Torn.
- Photo #5: depicts Tpr. Connolly inspecting the firearm.
- Photo #6: depicts Tpr. Connolly inspecting the firearm.
- Photo #7: depicts Tpr. Connolly inspecting the firearm and speaking to Torn.
- Photo #8: depicts Tpr. Connolly searching Torn.
- Photo #9: depicts Tpr. Connolly searching Torn.

Due to the lighting conditions inside the bank prior to police arrival there is no footage of Torn alone in the bank. Frederick J. Tadisco Security Officer for Litchfield Bank Corporation and Northwest Community Bank will be providing me with a DVD of the video footage on 02/01/10 which will be subsequently placed into evidence.

Case Status: Closed By Arrest.

MMAZ

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INVESTIGATOR SIGNATURE:	INVESTIGATOR I.D.#:	REPORT DATE:	SUPERVISOR SIGNATURE	SUPERVISOR I.D.#	DATE
<i>T. Parker</i>	1439	1/30/10	<i>Sgt. P. J. ...</i>	194	01.30.10

**PROBABLE CAUSE  
DETERMINATION REQUEST**

JD-CR-94 Rev. 5-06  
P.B. §§ 30-5, 37-12

STATE OF CONNECTICUT  
SUPERIOR COURT  
G.A. & JUVENILE MATTERS  
www.jud.ct.gov



**INSTRUCTIONS**

**TO OFFICER**

1. Complete the Request in triplicate and bring to a judge within 48 hours of an arrest without a warrant of a defendant or juvenile who is not released from custody.
2. Complete the introductory language in the Finding by identifying the documents submitted in support of the Request.
3. Except as provided in paragraph 4, return the original of the executed Finding to the G.A. Clerk's Office prior to the defendant's arraignment. Retain one copy for your file and give the third copy, together with the documents submitted in support of the Request, to the State's Attorney's Office.
4. In the case of a juvenile admitted to a juvenile detention center, the original of the executed Finding should be delivered or faxed to the juvenile detention center where the juvenile was admitted and a copy retained in the program file.

**TO JUDGE**

1. Verify the accuracy of the description and dates of the documents listed in the Finding.
2. Sign the Finding in triplicate. Return all copies of the Finding and of any documents submitted in support of the Request to the officer.

**REQUEST FOR PROBABLE CAUSE DETERMINATION**

**TO: A Judge of the Superior Court**

<input checked="" type="checkbox"/> G.A. NO. 18 AT: Danham		<input type="checkbox"/> JUVENILE AT:	
DATE (Mo., day, yr.) 1/29/10	TIME OF ARREST (A.M. or P.M.) 10:12 pm	POLICE DEPARTMENT OSP-B	
NAME OF ACCUSED (Last, first, middle initial) Tom, Elmore, R.			DEPARTMENT CASE NO. 1000053450
ADDRESS (No., street, city and state)			
OFFENSE TOWN Salisbury	TOWN CODE 122	SOCIAL SECURITY NO.	DATE OF BIRTH (Mo., day, yr.) 2/6/31

The undersigned officer requests that the attached affidavit(s) be reviewed for a determination of probable cause.

DATE AND SIGNATURE	DATE (Mo., day, yr.) 1/29/10	SIGNED (Officer) <i>[Signature]</i>
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**FINDING**

Upon review of the following document(s) identified as 1000053450  
and dated 1/29/10

in affidavit form as submitted, the undersigned finds that:

- probable cause exists to believe that a criminal offense has been committed by the accused.
- there is no probable cause and accused is ordered released from custody.

DATE AND SIGNATURE	DATE (Mo., day, yr.) 1/29/10	AT (Time, A.M. or P.M.) 10:42 AM	SIGNED (A Judge of the Superior Court) <i>[Signature]</i> James F. Gindoff
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**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-  
INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)**

Report #: 1000053450 - 00022971

Report Type: Initial Report:  Prosecutors Report:  Supplement:  Re-open:  Assist:  Closing:   
 Attachments: Statements:  Teletype:  Photos:  Sketchmap:  Evidence:  Other:

OFS NO. 1000053450	INCIDENT DATE 01/29/2010	TIME 21:40	INCIDENT DATE 01/29/2010	TIME	PRIMARY OFFICER PARKER, JAMES L	BADGE NO. 1439	INVESTIGATING OFFICER Trooper	BADGE NO. 1439
INCIDENT ADDRESS Main St Salisbury					APARTMENT NO.	TOWN CD T122	TYPE OF EXCEPTIONAL CLEARANCE Not Applicable	CASE STATUS Closed by Arrest

OFFENSE / INCIDENT TYPE	CHARGE	ATT/COMP	LOCATION
CARRYING OF PISTOL OR REVOLVER WITHOUT PERMIT	29-35	Completed	Bank/savings And Loan
CARRYING F/A WHILE UNDER THE INFLUENCE OF LIQUOR/DRUG	53-206D	Completed	Bank/savings And Loan
BURGLARY 1ST	53A-101	Completed	Bank/savings And Loan
CRIMINAL TRESPASS 2ND	53A-108	Completed	Bank/savings And Loan
CRIMINAL MISCHIEF 3RD	53A-117	Completed	Bank/savings And Loan

STATUS CODE C=COMPLAINANT V=VICTIM A=ARRESTEE J=JUVENILE M=MISSING W=WITNESS O=OFFENDER/ACCUSED T=TOT

STATUS	NAME	SEX	RACE	D.O.B.	TELEPHONE	ADDRESS
A	Tom, Elmore R	M	W	02/06/1931	Hom	
WC	Dickinson, Susan	F	W	10/27/1962	Bus	
					Bus	
CV	Litchfield Bank Corporation				Bus	
WC	Dickinson, Edward	M	W	08/15/1955	Bus	

ARRESTEE NAME	CHARGES	CAX	COUNTS	COURT DATE	BOND
Tom, Elmore R	29-35 CARRYING OF PISTOL OR REVOLVER WITHOUT		1		\$
	53-206d CARRYING F/A WHILE UNDER THE INFLUENCE		1		\$
	53a-101 BURGLARY 1ST		1		\$100,000
	53a-108 CRIMINAL TRESPASS 2ND		1		\$
	53a-117 CRIMINAL MISCHIEF 3RD		1		\$

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INVESTIGATOR SIGNATURE <i>[Signature]</i>	INVESTIGATOR I.D.# 1439	REPORT DATE 1/30/10	SUPERVISOR SIGNATURE <i>[Signature]</i>	SUPERVISOR I.D.# 1439	DATE 01.30.2010
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