Report #: 1000053450 - 000229

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

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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 an 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 were 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.

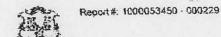
I then asked Mr. and Mrs. Dickinson to wait outside and I entered the building. As I walked into the building I made an immediate left turn into an adjacent room. As I entered the room I turned, looked to the right, and observed a white male walking around with in the lobby of the teller area. I immediately 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. White searching Torn I could smell the strong odor of alcoholic beverages on his person. I observed Tom'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 1. The revolver was loaded with 9 rounds of ammunition. Torn was then sat down on a chair in the lobby of the bank while with serial 1. The revolver was loaded with 9 rounds of ammunition. Torn was then sat down on a chair in the lobby of the bank while Torn Connolly #527 and TFC. Prusinowski #440 searched the rest of the bank. Torn seemed highly disorientated. Forn asked why we look him out

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT, I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAININGTO THIS INCIDENT NUMBER.
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ATTMENT: OR (2) THE INFORMATION SO RECEIVED BY ME

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INVESTIGATOR SIGNATURE:	INVESTIGATOR I.D.#	REPORT DATE:	SUPERVISOR SIGNATURE		01.30 2016



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of his house. Torn repeatedly asked why we placed him in handouffs and when we informed him that he was in a pank 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 coots and wool hat near the back door were his Torn stated yes.

While on scene Tpr. 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 shorty 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 Gase 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 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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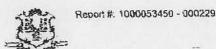
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The above two test were conducted to document Torn's level of intoxication.

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 18 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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provided the warrance of sair photographs from video cameras at the bank (See Attached Photos).

Photo #1: depicts Tpr. Parker and Tpr. Connolly searching Torn

Photo #2: depicts Tpr. Connelly 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 Tor. Connully inspecting the firearm.

Photo #7: depicts Tpr. Connolly inspecting the firearm and speaking to Torn.

Photo #8: depicts Tpr. Connolly searching Tom.

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. Tedesco 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.

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PROBABLE CAUSE DETERMINATION REQUEST

JD-CR-94 Rev. 8-06 P.B. §§ 30-5, 37-17

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 analgnment. Retain one oppy in: 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 determion cemer, the original of the executed Fimiling should be delivered or faxed to the juvenile detention center whore the joyenile 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.
- 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

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Attachr	nents: Statements: 🗵	Taid	etype	: Photo	s	Skatchmap:	. EAM50				BADGE NO
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INVESTIGATOR SIGNATURE:

INVESTIGATOR LD # REPORT DATE:

SUPERVISOR SIGNATURE

OF AN OTHER SUPERVISOR LD # DATE

OF AN OTHER MEMBERS

SUPERVISOR SIGNATURE

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