

Redding Police Department

96 Hill Road · Redding, Connecticut 06896 · Phone: (203) 938-3400 · Fax: (203) 938-9427

Douglas S. Fuchs · Chief of Police

Mr. William Otfinoski Colchester Police Commission 100 West Road Colchester, CT 06415

May 27, 2005

Dear Mr. Otfinoski:

Enclosed please find the Connecticut Police Chief's Association, Municipal Police Support Committee's Review of Police Services report. I have also sent a copy of this document to your First Selectman.

I have listed the contributing chiefs on the cover of the document.

Should you have any questions, comments, or concerns, or should you require additional assistance, please do not hesitate to contact me.

Sincerely,

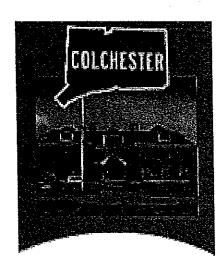
Douglas S. Fuchs

Chief of Police

Chairman,

CPCA Municipal Police Support Committee

Connecticut Police Chief's Association



Report on: Town of Colchester **Police Services**

Prepared by:

Chief Jim Strillacci West Hartford Police Department

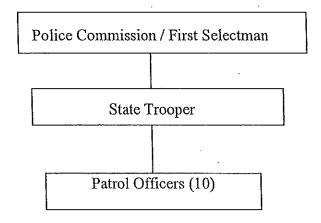
> Chief Douglas Fuchs Redding Police Department

Department Structure and Assets

Type of Organization

The Colchester Police Department is a Connecticut State Police – Resident State Trooper police department with an authorized strength of ten (inclusive of the State Trooper). The Colchester Police Department is overseen by the First Selectman, Jenny Contois, as well as by the Colchester Police Commission of which William Otfinoski is the chair. The daily operations of the Colchester Police Department are supervised by a Connecticut State Police Trooper.

Table of Organization



Police Department Building

The Colchester Police Department is located within Colchester Town Hall.

The Police Department entrance is secured. Once inside the department there is a small greeting area which is not secured from the remainder of the facility. The department does have adequate space for report writing, records management, and office space. Improved locker facilities (to include a second facility for any future female employee), a training room, and prisoner holding facilities should be included in any expansion to the current structure. The building does not have video monitoring capabilities.

The building is not occupied 24 hours per day. When no employee is in the police department, there is a phone next to the front door which is a direct connection to the police desk located in State Police Troop "K".

Dispatch and Civilian Support Staff

The Town of Colchester contracts all of its dispatch services to a regional dispatch center which is located within Connecticut State Police Troop "K", but which is not a part of the Connecticut State Police. The Police Department does employ a records/clerical person thirty-five hours per week.

This outsourcing of dispatch services is cost effective as regional dispatch centers are eligible for certain funding programs. In addition to being cost effective, by outsourcing this service the town of Colchester is not responsible for certifying and maintaining the certification of dispatch personnel. Police and Fire dispatchers are currently required to be certified by the Office of Statewide Emergency Telecommunications, by the State Police COLLECT Unit, by SBC in the usage of 911, and by a certified vendor in Emergency Medical Dispatch (EMD).

The Colchester Police Department pays approximately \$72,000 for this dispatch service. While space would be at a premium, in the current facility, the possibility of moving this dispatch center into the Colchester Police Department should be investigated. By providing the physical structure for this center within the walls of the police department, the Town of Colchester could realize a significant cost savings for the outsourcing of this service [in lieu of rent] while providing a police department that is staffed twenty-four hours per day.

Staffing Levels, Investigations and Prisoner Detention

The Colchester Police Department maintains three patrol shifts: Days, Early Evenings, and Late Evenings. There is no Colchester Police Officer on duty between the hours of 3:00 am and 7:00 am. The Town of Colchester outsources its police services for this block of time to the Connecticut State Police who patrols Colchester along with a number of additional municipalities with one or two troopers.

Anecdotally, Colchester Officers report that it is well known that there is little to no police coverage in their town between 3:00 am and 7:00 am.

Staffing levels should be of paramount concern. From the standpoint of both officer safety and service to the community, there should be at least two Colchester Police Officers on duty at all times.

The four hour gap in coverage, albeit during a time period which is historically uneventful for town police departments, leaves large communication gaps. Incidents which are reported between 3:00 am and 7:00 am are reported directly to the State Police. There is not only no Colchester Police Officer involvement but the call is most likely handled by whichever trooper is assigned to that patrol that night. In addition to specific incidents which are reported during this gap there is also no opportunity for the late evening shift to pass on information and required tasks to the day shift. In police work, the passing on of information from shift to shift is essential for the overall efficiency and

effectiveness of the department. The current shift structure of the Colchester Police Department essentially closes the department at 3:00 am with a reopening at 7:00 am. The day shift, who often is tasked with follow up work that can not be accomplished during the night shift, has no opportunity to personally interact with the outgoing night shift (or in this case: the late evening shift).

The Colchester Police Department currently has no prisoner holding facilities. Organized police departments must have the ability to house and properly monitor persons in their custody, or in the alternative, to outsource this responsibility. Upon organization, the Colchester Police Department will have to ensure that an agreement is in place with another police department to house persons in custody. Any future building expansion should include prisoner detention facilities.

Currently, major investigations are conducted at the discretion of the Connecticut State Police. Transitioning to an organized police department does not necessitate the immediate appointment of an investigator. In many smaller agencies, the patrol officers follow up on cases to which they have been assigned. As the department matures and develops, the table of organization should include an investigative officer.

Supervision and Professional Development

The Colchester Police Department has no rank structure, per se. Even in police departments which are a part of the "Resident Trooper" program, officers or constables who hold a rank [other than that of a patrol officer] have extremely limited authority and responsibility.

One of the most common complaints of the "Resident Trooper" program is the lack of supervision when the Resident Trooper is not on duty. While the State Police always has a supervisor on duty, that supervisor's primary responsibility is to their own organization. Absent a fairly major incident, very rarely does the on-duty State Police supervisor directly supervise the local [town] officer who is technically under his or her command. When the Resident State Trooper is not on duty, the [town] police department effectively has no immediate supervision.

By having a "flat" rank structure, local officers have nothing to which to aspire. It is generally understood that when one is hired by a department who operates under the "Resident Trooper" program, one will be a patrol officer for the duration of their career. This lack of upward mobility may not have an immediate impact on the young officer, but as one progresses in the law enforcement profession and sees their peers advance in their field, this lack of a rank structure can have a demoralizing effect on a more senior patrol officer. This not only impacts department morale, but can adversely affect the department's ability to retain qualified police officers.

The "Resident Trooper" program, by its very nature, may compound this demoralization. The Connecticut State Police are ultimately responsible for the supervision and operation of the Colchester Police Department. As such, and rightly so — based on this

organization, the most inexperienced and least senior State Trooper will always "outrank" the most senior Colchester Police Officer. In an organized police department, the normal rank structure will account for time in grade. If two patrol officers are on duty at the same time, the officer with more time in their current rank will "outrank" the other. This is a common practice in virtually any quasi-military organization. In the case of "Resident Trooper" department, that is not the case when a State Trooper and a Colchester Police Officer arrive at a scene together. As an example: If there were a fatal motor vehicle crash within the Town of Colchester to which both the State Police and Colchester Police Officers responded. The State Police on scene would make the determination as to how and by whom the incident would be investigated, even if the Colchester Officer on scene was a twenty year veteran with Accident Reconstruction expertise and the State Trooper on scene had five years experience.

If the Colchester Police Department were to organize, one of the first responsibilities of the new Chief of Police would be to create a rank structure to include: an Executive Officer and Patrol Supervisors.

Schedule

The police officers, all of whom are members of the collective bargaining unit, work a 5-3 schedule, with nine hour shifts.

The 5 on / 3 off work schedule mirrors that of the State Police and does not provide for adequate shift coverage. By adjusting the schedule to a rotation other than a 5/3 (4/2 or 5/3 - 5/2 - or some hybrid thereof) and reducing the shift to an eight hour shift, shift coverage would immediately be increased. With eleven officers scheduled to work patrol, it is possible to schedule all shifts with at least two officers. As Colchester Police Officers are represented by a collective bargaining unit, these scheduling issues would have to be negotiated.

Currently, the Colchester Police Department has an authorized strength of ten Colchester Officers and one State Trooper or eleven officers. By hiring one additional officer, inclusive of the State Trooper, thus increasing the department's strength to twelve (inclusive of the Chief of Police), it is possible to maintain shift coverage twenty-four hours per day.

The authorized strength of the Colchester Police Department should also be reviewed. According to the 2000 U.S. Census data, the Town of Colchester has a population of approximately 14,000 persons. The Federal Bureau of Investigation (FBI), through the US Bureau of Justice Statistics, maintains a record of what is considered an acceptable staffing level for a given police department based on population size and geographic location. [Sourcebook of Criminal Justice Statistics, Bureau of Justice Statistics, 30ed.] For the northeastern United States, statistics are found to be between 1.7 officers per 1,000 residents and 2.1 officers per 1,000 residents. While it is certainly not expected that the Colchester Police Department will increase its size to maintain this ratio (of officers to residents), this ratio should be taken into consideration when planning for the

organization. Currently, the Colchester Police Department does not meet a level of 1.0 officers per 1,000 residents.

A copy of a sample schedule is attached.

Contract

If the Town of Colchester makes the decision to organize their police department, it is recommended that the entire Collective Bargaining Agreement be renegotiated. Items such as but not limited to: schedule, supervision, and references to the Resident Trooper need to be addressed and brought into conformity with an organized police department. Completing this process after the organization is complete is often very difficult to accomplish.

Budget

Cruisers

The Colchester Police Department maintains a fleet of six patrol cruisers, half of which have Mobile Data Computers installed in them. This number of cruisers is adequate to form an organized police department.

The hiring of a Chief of Police would most likely necessitate increasing the fleet by one cruiser. In the short term, and with little fiscal impact, this could be accomplished by holding back one cruiser on an annual trade.

The hiring of a Chief of Police would slightly increase the department's fuel consumption.

Overtime

The town needs to review the overtime and training budgets. If the Town of Colchester is interested in maintaining two officer coverage, the overtime budget will need to be increased to fill shifts that are created by paid leave and training.

In fiscal year 2004-2005 the overtime budget was \$35,000 (\$5,000 additional overtime budgeted for CSP overtime) with \$5,200 allocated for training. In order to maintain staffing levels the amount of annual paid leave will need to be calculated for future fiscal years with monies budgeted to backfill these positions.

At a minimum, the overtime budget would have to be increased to \$85,000 with an eleven patrol officer department with an increase in the training budget to meet department needs and expectations. This overtime budget would be increased or decreased based upon: patrol force size, seniority of department (accumulated paid

leave), and the department schedule. The department should be brought up to a strength of at least eleven patrol officers prior to transitioning to an organized police department.

A spreadsheet of budget variations is attached.

Police Facility Tour

Chief Fuchs met with officers of the Colchester Police Department on two occasions and was given a tour of the facility. The officers with whom Chief Fuchs met were all very courteous and receptive toward organizing a municipal police department. These officers appeared to be genuinely excited about working with the town leaders to make this transition possible.

Radio/Communications

The Colchester Police Department does not have independent radio communications capabilities as they rely on the State Police communications equipment. In order to organize, the Colchester Police Department will need to secure communications equipment (both mobile and portable radios).

The Colchester Fire and Highway Departments are both currently utilizing VHF radio frequencies. Although not ideal, in the short term the Colchester Police Department could build upon that infrastructure to accomplish this goal. It is suggested that whatever future radio decisions are made for the police department, radio interoperability between all town departments should be a priority.

The cost of procuring new radio equipment can be offset by selling the current State Police UHF radios (both mobile and portable) which are significantly more expensive than VHF equipment. The cost for the radio system has not been included in the attached "Budget Variations" spread sheet as the Colchester Police Department should have radio communication that is separate and independent of the State Police. The decision to install a Colchester Police radio system should be made independently of the decision to "organize"

Rules and Regulations

The Colchester Police Department primarily operates under the Connecticut State Police A&O Manual for Resident Trooper Towns.

Upon organization, the Colchester Police Department will need to develop regulations under which the department will operate. As with the collective bargaining agreement, the outline for this document should be discussed with the collective bargaining unit prior to organization.

CAD/RMS (Incident Reporting)

The Colchester Police Department has the computer workstations necessary to allow officers to complete incident reports. Currently, the department does not maintain any meaningful department records independent of the State Police. The department will need to obtain a small server and CAD/RMS (Computer Aided Dispatch/Records Management System) to operate independently.

There are many low cost vendors for CAD/RMS systems. This procurement could be accomplished for an initial investment of less than \$20,000. It is suggested that the Colchester Police Department procure a CAD/RMS system as soon as is possible and maintain a separate database aside from the Connecticut State Police records. Not only will this allow a smoother transition to an organized department, but will allow Colchester Police Officers to have their own database upon which to make inquiries as well as generate statistics. For this reason, the cost of the CAD/RMS system has not been included in the attached "Budget Variations" spread sheet.

Chief of Police

Having a police department which is run and managed by a police chief has numerous benefits.

Police chiefs are eligible to join numerous organizations which afford them the opportunity to develop professionally and bring their education and experiences back to their respective departments. Each region maintains a regional chiefs of police association which meets monthly. These meetings afford department chiefs the opportunity to exchange information and to learn from each other's experiences. Every police chief in Connecticut is also a member of the Connecticut Police Chief's Association.

A chief of police is also a part of the First Selectman's management team. While many don't often view a police chief as a department head, that is exactly what he or she is. The chief of police brings the philosophy and vision of the governing body of the municipality into the department.

A police chief additionally adds stability and consistency to the organization. Under the "Resident Trooper" program, it is possible and likely that the "Resident Trooper" will not be in that position for any extended period of time. Troopers who excel in their department will also undoubtedly be promoted and transferred from their command as a "Resident Trooper".

Legislative Issues

This document is a review of existing legislation which may affect the establishment of an autonomous police department in the Town of Colchester.

Summary

- No provisions of local charter or ordinance prevent establishment of an autonomous Colchester Police Department.
- State law grants Colchester the right to provide police protection, grants authority to its police department and its police officers.
- Several statutes enable Colchester to cooperate with other towns in providing police services.
- Statute allows Colchester to call upon the state police for assistance, with or without a resident-trooper contract.

Existing Local Legislation

Colchester was incorporated 1698 and named in 1699. Its legislature is the Town Meeting, its chief executive the First Selectman. Colchester's laws are embodied in a charter and a code of ordinances. Their language is open-ended, permitting addition of an independent police department without extensive amendment.

Charter

No charter provision impedes establishment of an autonomous police department. Charter Article IX, Town Departments and Administration, Section C-901, Town Departments, reads, "The town shall have following town departments and other such town departments as may exist at the time of the adoption of this Charter and as the Board of Selectmen may later create," and enumerates four departments, items A through D. Colchester may wish to amend this section by adding item E., Police Department, though such amendment is not required.

Sections C-902 through C-906 describe the functions of respective departments. Colchester may wish to amend Article IX by adding Section C-910., Police Department, and a brief description of its functions.

Charter Article X, Appointed Officials, comprising Sections C-1001 through 1008, provides for appointment of directors of the town's departments—the Superintendent of Schools by the Board of Education, the rest by the Board of Selectmen. Colchester may wish to amend Article X by adding Section C-1009., Police Chief, containing provision

for appointment—presumably by the Board of Police Commissioners-- and a brief description of his/her responsibilities.

Charter Article XI, Appointed Boards, Section C-1101. Board of Police Commissioners, authorizes the Board of Selectmen to appoint a five-member Board of Police Commissioners, to be governed by the General Statutes and by Chapter 18, Article VIII of the Code.

Charter Article XII, Town Employees, Section C-1201, Appointment and Dismissal, places those decisions regarding police employees under the purview of the Police Commissioners.

Code

The Code of the Town of Colchester contains relatively few ordinances dealing with police. Most are in Chapter 18, Boards, Committees, and Commissions, Article VIII, Board of Police Commissioners. They are consistent with pertinent statutes regarding police commissions, which are discussed below. None require amendment to establish an independent police department; Sections 18-30, 18-31, 18-33, and 18-38 are worded to apply to both a trooper-constable system and an independent police department. However, Colchester may wish to amend Section 18-34, Investigation of Complaints; hearings, to assign investigations of complaints regarding police to the police chief.

Existing State Legislation—Statutory Basis for a Colchester Police Department

Statutes authorize municipalities to provide police protection.

- CGS 7-148. **Scope of municipal powers**. (a) defines "municipality" as "any town, city or borough, or consolidated town and city or consolidated town and borough."
 - Subsection (b) **Ordinances** directs municipalities to exercise their statutory powers by ordinance, when establishing rules which carry penalties, or when creating permanent law of general applicability.

Subsection (c) enumerates municipal powers to include most police-related activities:

- (4) **Public Services** (A) "Provide for police protection, regulate and prescribe the duties of the persons providing police protection with respect to criminal matters within the limits of the municipality and maintain and regulate a suitable place of detention within the limits of the municipality for the safekeeping of all persons arrested and awaiting trial and do all other things necessary or desirable for the policing of the municipality," and
- (5) **Personnel** provide (A) pension systems, (B) merit or civil service systems to hire, and (C) employ and pay municipal officers and employees, and
- (6) Public Works (A) Public Facilities protect public buildings and property, (C) keep safe and control excavation of Highways and sidewalks, and
- (7) Regulatory and police powers including (B) Traffic, (D) Animals, (E) Nuisance, (F) Loitering and trespassing, (G) Vice, (H) Public Health and Safety.
- CGS 7-274 Establishment of town police commissions allows—but does not require--a town to establish, by ordinance, a board of police commissioners, chosen by election or appointment, to organize and maintain the town's police department. Colchester has done so by Sec. 18-28.
- CGS 7-275 **Meetings of Commissioners. Vacancies.** is observed in Section 18-35 of Colchester's Code.
- CGS 7-276 Powers of Commissioners allows such boards to manage, supervise, equip, and regulate a police department, and to appoint, promote, and remove its officers. Colchester Code Section 18-32 cites it.

- CGS 7-277 requires the **Town to bear expense** of paying, maintaining, and equipping its police department.
- CGS 7-279 grants subpoena power to the board of police commissioners
- CGS 7-281 authorizes town police to execute arrest warrants
- CGS 7-281a Free use of COLLECT system gives municipal police departments access without charge to the state's on-line telecommunications system.
- CGS 7-284. Police protection at places of amusement. "When police protection is necessary or required at any ...sport contest or hockey, baseball, or basketball game, or any other exhibition or contest which is being held or is to be held in any municipality, the amount of such protection necessary shall be determined and shall be furnished by (1) the chief or superintendent of the police department in any municipality having an organized or paid police department or (2) the commanding officer of the state police troop having jurisdiction over the municipality in any municipality having a resident state trooper."
- CGS 53a-3 (9) defines "peace officer" to include a member of an organized local police department.
- CGS 54-1f authorizes peace officers (including local police) to arrest without warrant in enumerated circumstances.

Existing State Legislation—Statutory Basis for Inter-town Cooperation

- CGS 7-277a Police assistance agreements authorizes Colchester to augment its police capability by invoking mutual aid between municipalities. The town is a member of the Law Enforcement Council of Connecticut, a non-profit association serving southeastern Connecticut. LEC Director Leslie W. Williams, Jr. advises that LEC has a mutual-aid agreement, which Colchester is entitled to invoke.
- CGS 7-339a Interlocal agreements et seq. authorize Colchester to enter into inter-local agreements for the provision of a variety of services, including police services. Colchester may wish to explore interlocal agreements on certain functions.
- CGS 7-148cc, **Joint Performance of Municipal Functions** gives two or more towns blanket authority to perform jointly any function which any statute, special act, charter, or home-rule ordinance allows them to perform individually. It requires each participant to approve any joint agreement in the same manner it approves ordinances or, if the participant does not approve ordinances, in the manner it approves budgets. The terms of each agreement must include (1) a process for withdrawal and (2) a requirement that the approving body review the agreement at least once every five years to assess whether it improves the functions it addresses. The act applies to towns, cities, boroughs, consolidated towns and cities, consolidated towns and boroughs, and service districts (such as fire districts, sewer districts, beach associations, and improvement associations), but not school districts. The section does not supersede 7-339a but creates another avenue for similar agreements

Existing State Legislation—Statutory Basis for State Police Assistance

Colchester currently provides police protection by contracting with state police under the following statute:

• CGS 29-5. Resident state policemen for towns without police force. The Commissioner of Public Safety may, within available appropriations, appoint suitable persons from the regular state police force as resident state policemen in addition to the regular state police force to be employed and empowered as state policemen in any town or two or more adjoining towns lacking an organized police force. Such town or towns and the Commissioner of Public Safety are authorized to enter into agreements and contracts for such police services.

Yet if Colchester ends its contract with the state police, CSP resources will continue to be available to Colchester under the following statute:

• CGS 29-7. Powers and duties of Force. Barracks. "The Division of State Police within the Department of Public Safety, upon its initiative, or when requested by any person, shall, whenever practical, assist in or assume the investigation, detection and prosecution of any criminal matter or alleged violation of law. All state policemen shall have, in any part of the state, the same powers with respect to criminal matters and the enforcement of the law relating thereto as policemen or constables have in their respective jurisdictions."

Potential Budget Variations based on Police Organization **Colchester Police Department**

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This amount reflects 04-05 budgeted items and does not include actual cost of living adjustments. These figures are estimates only and should be used for comparison.

Notes:

SAMPLE Colchester Police Work Schedule 5-3/5-3/5-2

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