

REGULAR SESSION MINUTES
MAY 10, 2022
BOARD OF POLICE COMMISSIONERS
NEW HAVEN, CONNECTICUT
VIDEOCONFERENCE AND CONFERENCE CALL VIA ZOOM

PRESENT: Commissioners Michael Lawlor; Isaias Miranda; Evelise Ribeiro;
and Donald Walker

Interim Chief Renee Dominguez: Department of Police Service
Captain David Zannelli: Department of Police Service
Lieutenant Manmeet Colon: Department of Police Service
Sergeant Paul Finch: Department of Police Service

Florence Cotto: President Elm City Local

Rebecca Bombero: Deputy Chief Administrative Officer
Michelle Duprey, Esquire: Deputy Corporation Counsel
Bruce Fischer: Department of Transportation, Traffic and Parking

Daniel Hunt
Laura Giesby

OPEN SESSION

The meeting was called to order at 6:01 p.m., Evelise Ribeiro, Chair, presiding
Ribeiro indicated that Commissioners Brooks and Meares were excused for the evening.

REGULAR MEETING OF THE TRAFFIC AUTHORITY

Following the regular meeting of the Traffic Authority, Mr. Fischer excused himself at 6:19 p.m.

AGENDA

- ** Commissioner Walker motioned to Approve the Agenda
- ** Commissioner Lawlor seconded
- ** Motion passed unanimously

DISCUSSION AND APPROVAL OF MINUTES

Discussion and Approval of the Regular Meeting Minutes of April 12, 2022.
Discussion and Approval of the Special Meeting Minutes of April 18, 2022.

- ** Commissioner Walker motioned to Approve the Regular Meeting Minutes of April 12,
2022
- ** Commissioner Lawlor seconded
- ** Motion passed unanimously

- ** Commissioner Walker motioned to Approve the Special Meeting Minutes of April 18, 2022
- ** Commissioner Miranda seconded
- ** Motion passed unanimous

CHIEF'S REPORT

Chief Renee Dominguez

- Chief Dominguez indicated that homicides were down by 73 percent. Currently, New Haven has the lowest violent crime rate in the state.
- There were 25 shootings and three homicides. Last year at the same time there were 36 shootings and 11 homicides.
- There were 39 shootings and 12 homicides in Hartford. There were 34 shooting and five homicides in Bridgeport. She did not have the shootings numbers for Waterbury and Hamden but each town had four homicides.
- New Haven police officers are doing tremendous work. Their hard work has led to the reduction of violent crimes.
- There has been an increase in gun seizures during arrests.
- Gun seizures and other programs the Department engages in (Project Longevity, Project Save Neighborhoods, Custom Notifications) have also been instrumental in the reduction of violent crimes. The next Project Longevity call will be on May 19th, 2022 at Gateway Community College. This is done quarterly and by invitation only.
- Eight individuals at two different academies have graduated. The five cadets who graduated from POST are in week two of their FTO. Three cadets graduated from the Waterbury Academy on May 5, 2022. They will begin their FTO on the May 15th, 2022.
- The Department's recruits will graduate on July 6, 2022. The ceremony will be in the evening. Location is yet to be determined.
- Chief Dominguez stated the week of May 15th to the 21st of May is Law Enforcement Week. Police officers who died in the line of duty would be placed on the Law Enforcement Memorial at the State Police Academy which is also the POST Academy in Meriden on May 19, 2022 at 11:00 a.m. Officer Diane Gonzalez's name will go on the wall. A large contingency from New Haven would be in attendance. It is a beautiful event honoring those who have passed. Three individuals would be honored including Officer Gonzalez. All were invited to the ceremony.
- Pending are approvals by the Board of Alders on May 16, 2022 regarding a comfort dog. The Department is looking to put a comfort dog in the Department to assist with officer wellness. The comfort dog would also be for the community when it is dealing with traumatic incidents such as homicides. This is something that is taking shape around the state.
- Lieutenant Fumiatti is the Department's wellness individual and does a lot with the Crisis Intervention Team. He is spearheading this. He has received funding for this. The Department has sought approval from the Board of Alders. It will take some time to get the comfort dog as there is a process involved.
- The use of the NIBIN Kiosk involves taking shell casings from shooting scenes and putting them in the kiosk to determine whether a shell casing is linked to any other shell casings in any other crimes. This is presently being done through the state. There is a 24- to 72-hour response time.

■ The Department has received grant funding through the National Crime Gun Intelligence Center Initiative. This fits within that grant. So, the Department is looking to purchase its own NIBIN machine. This will expedite the results of shell casings tested.

■ Commissioner Lawlor stated that the number of shootings and murder was very gratifying. He thought, as the Chief pointed out, it really adds more evidence to the fact that the preventive strategies that New Haven and the New Haven Police Department has been pursuing, that had been interrupted by the pandemic, really do work. So, now, the Department is back to its individualized visits and the call-ins, etc. It seems to be very, very effective.

■ So, congratulations to you, Chief, and everyone in the Department for focusing on preventing these shootings. Obviously, it's important to apprehend accused murderers, but it's more important to prevent the shootings in the first place. New Haven has done an extraordinary job in accomplishing that goal.

■ Commissioner Lawlor went on to ask how many cadets were expected to graduate from the Department's academy in July. Chief Dominguez replied by saying 20. Eight had recently graduated. There are three more in Milford's academy. This bring it to a total of 31 cadets off of this list. The first eight would be off FTO by the Fourth of July which is important to the Department as the number of officers is significantly down. The 20 cadets will be done with their FTO at the end of the summer.

■ Commissioner Lawlor asked if the total number of officers in the pipeline was 28 or more. Chief Dominguez indicated it would be 32.

■ Commissioner Lawlor added that Chief Dominguez had made an announcement earlier in the day about her retirement. Commissioner Lawlor thanked Chief Dominguez for her service. It is appreciated.

■ Chief Dominguez indicated that she had announced earlier in the day that Friday, May 13, 2022 would be her last working day.

■ Commissioner Walker congratulated Chief Dominguez. He thanked her for her service, time and energy. Usually, retirements are difficult decisions, but she has earned it. So, congratulations.

■ Commissioner Ribeiro indicated she was going to save her comments for later. She and Chief Dominguez had spoken earlier during which she expressed her sentiments. However, for the record, she just wanted to say that it's been absolutely great working with the Chief for the past year, but for her many years before that. She has enjoyed their partnership. She wished Chief Dominguez nothing but success going forward. She urged Chief Dominguez to remember their discussions. She would be awaiting a call from Chief Dominguez.

■ Chief Dominguez thanked the commissioners.

■ Commissioner Ribeiro indicated that the President of Elm City Local has asked via the chat how many were expected to retiree and/or resign.

■ Chief Dominguez responded by saying that every calendar year 20 officers retire. There are about eight or six more people who will retire before June 30, 2022 for pension purposes. There is another group that will retire by December 31st, 2022.

INTERNAL AFFAIRS REPORT

Lieutenant Manmeet Colon

■ Lieutenant Colon indicated that there have been 32 Internal Affairs Complaints made. The following are the closed cases for the month of April:

IA CASE NO. 21C-095: The complainant filed a civilian complaint with the Office of the Internal Affairs against Officer R. Stone. The complainant alleged that the officer was rude and confrontational towards her. And she also alleged that the officer told her that she would arrest her for falsely reporting an incident. According to the body-worn camera footage, the police report and other officers involved, it looks like Officer Stone did advise the complainant that she would be arrested if she was not truthful in reporting her incident. Officer Stone did not appear to be rude or confrontational. She was very direct with the complainant and told her exactly what the consequences would be if she did not cooperate. The officer's action seemed lawful and appropriate. This incident was unfounded. It was closed on April 9, 2022.

IA CASE NO. 22C-002: The complainant in this case filed a civilian complaint against Officer Zullo for not conducting a thorough investigation into his assault complaint. Officer Zullo did make attempts to contact the restaurant where the assault had occurred but was unsuccessful in obtaining video footage. It was determined there was an initial delay between when the original complaint came in to when the officer made contact with the owners of the restaurant where the assault occurred. Lieutenant Borer spoke with the complainant about his findings and also explained to him that Officer Zullo did not conduct a prompt follow-up into this investigation, therefore, he was counseled. Officer Zullo was given a summary action which is a written reprimand. This case was closed on April 9, 2022.

IA CASE NO. 22C-026: The complainant in this case said that he was assaulted by an officer while he was admitted at Yale New Haven Hospital. He alleged that he was in the emergency room when the incident occurred. He described the officer. They looked in their CAD system and police reports, and the Department has no record of this individual being arrested. It was later determined that it was the Yale Protective Services that were involved in this incident. The complaint was forwarded to Yale Protective Services. The complainant was advised to follow-up with them. This case was closed on April 16, 2022.

IA CASE NO. 21C-098: The complainant in this case alleged that Officers Moore and Simon were biased towards him when he called the police after he was threatened by a female. The complainant alleged that the two officers who are also black sided with the black female who threatened him. Based on the body-worn camera videos, the police reports, supplemental report and interviews of the officers involved, there was no evidence that Officers Moore and Simon were racially motivated or portrayed any bias behavior during the encounter. Therefore, they did not violate any departmental policies or procedures. This case was closed on April 16, 2022.

■ Lieutenant Colon briefly spoke about the use-of-force statistics. The statistics provided to the commissioners are from 2019 to 2022. There were two canine use in 2021. This year, there have been none. So, the Department is down on that. Baton use is up by two from last year. These are not baton strikes. These are baton instructions. The Department is up significantly in hard hands, take-downs. The Department is down regarding OC Spray from last year and significantly down from 2019. Taser Laser is up from last year. The Department is currently at 16 compared to 8 at this time last year. There have been no Taser deployments this year

compared to nine last year at the same time. Firearms display is down at 27 this year compared to 55 at the same time last year.

■ Commissioner Lawlor asked if there is an incident where multiple officer draw their weapons, whether this counted as one incident of firearms display or multiple firearms display..

■ Lieutenant Colon responded by saying that this would count as multiple firearms display. Each officer that points a firearm at a human, would have to complete the use-of-force report for that.

■ Commissioner Lawlor asked, so it is not just drawing the weapon, it's pointing it at somebody? Lieutenant Colon replied by saying yes, sir.

PERSONNEL MATTERS

There was none.

RETIREMENTS (For Board information only)

There were none.

RESIGNATION (For Board information only)

Officer Tony Vitale, eff., April 11, 2022

■ Commissioner Ribeiro stated that usually there would be a letter of resignation. She had not seen one. She wondered if there was a letter and the reason for his resignation.

■ Chief Dominguez replied that there was a letter. She would have Ms. Eva Perry Lambert send the letter.

■ Commissioner Ribeiro asked for the reason for his resignation. Chief Dominguez indicated that Officer Vitale went to the Naugatuck Police Department. He resides in Naugatuck.

RECRUITMENT/SELECTION COMMITTEE REPORT

Discussion and approval of the Drug Guidelines for Background Investigations

■ Commissioner Ribeiro stated that Commissioners Walker and Miranda are members of the committee and had been working on this. They followed up with Commissioner Meares regarding this Drug Guidelines for some input as well. She asked who was presenting this policy.

■ Lieutenant Colon replied that she would be presenting this policy. She started that in light of the marijuana usage law in the State of Connecticut, the Department decided to make changes to some aspects of the Drug Guideline Policy for the pre-employment, new hires for the New Haven Police Department. Some of the changes had to do with the wordings such as the disqualification of an applicant if he or she has used any illegal narcotics. This has been changed to, the applicant will be presented to the Board of Police Commissioners and may be disqualified if he or she has used any illegal narcotics. So, this will be on a case-by-case basis.

■ The Department has also added the DEA schedules just to be very clear about whether the drug is a Schedule One or Schedule Two. They added prescription drugs, if they are illegally used by the candidate.

■ Lieutenant Colon further stated the Department went from excluding ecstasy or having a seven-year application deadline to sort of a lifetime usage of ecstasy. The person will be presented to the Board of Police Commissioners for removal.

■ The biggest change is the marijuana usage. Initially, the applicant had 12 months prior to the application deadline that he or she cannot use marijuana. The Department has added that the applicant will be disqualified if he or she illegally used marijuana after the application deadline. So, the 12-month mark has been removed.

■ The applicant must also agree to refrain from using marijuana during his or her employment as a New Haven Police Officer in accordance with the Federal Gun Control Act of 1968 as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

■ Anabolic steroids remain the same. An applicant will be presented if he or she has ever used it. The DUI stipulations also remain the same.

■ Commissioner Lawlor commented that he actually liked not making it a complete bar, but instead allowing there to be a case-by-case analysis ultimately by the Board of Police Commissioners.

■ Commissioner Lawlor went on to say that what jumped out for him was the drunk driving convictions. It is worth noting to get a drunk driving conviction, it usually means that it is the individual's second time because the first time everybody uses the program. It just seems like that might be more of a warning sign that someone has twice been arrested for drunk driving and now wants to be a police officer. The window indicated is a year. Commissioner Lawlor asked if this was a year from the time the individual's license is reinstated or is that a year from the date of the conviction.

■ Lieutenant Colon replied that as she read it, less than one year prior to the application deadline. So, she interpreted this to mean the conviction and then a year gap to the application.

■ Commissioner Lawlor said the license is going to be suspended for a year for an individual who is convicted. In theory, that means the individual can be reinstated and become a police officer. This is a sensitive topic. There has been episodes of this involving law enforcement officers recently. Maybe at some point that window should get bigger.

■ Commissioner Lawlor stated that the only thing he wanted to point out on this point is that if it's a second conviction for DWI, that's a felony. And his understanding is that a felony conviction would bar an individual from being a law enforcement officer in the first place.

■ He invited anyone interested in hearing from the Department to reach out to them. Because of episodes around the state involving law enforcement of recent regarding drunk driving, the thought is maybe at some point in the future it is worth looking at as the one-year time period is a little short. Keep in mind it would be the second arrest for DWI for it to be the first conviction.

■ Commissioner Ribeiro asked if Commissioner Lawlor was proposing a language change now.

■ Commissioner Lawlor replied by saying no. He just wanted to ask some questions and point it out for further consideration down the road. This is a sensitive topic. He just wanted to make that point. Most people lose sight of the fact that an individual's first conviction is his second arrest in Connecticut. The second conviction is in fact a felony. Maybe that should be acknowledged in the policy.

■ Commissioner Ribeiro stated that she agreed. They should take a look at that. The phrase, less than one year prior to the application deadline, should be defined.

■ Commissioner Lawlor suggested that maybe words to effect of this is not a disqualifier but that by itself could get you in front of Board of Police Commissioners. This is a hot topic at the moment. He just wanted to flag that for maybe further consideration down the road.

■ Commissioner Ribeiro said she was fine with adding the language then.

- Commissioner Lawlor indicated he would prefer to give it a little thought.
- Commissioner Ribeiro asked Lieutenant Colon and Captain Zannelli to take Commissioner Lawlor’s comments into consideration. If they need to bring this the Board, they should do it prior to the Department starting this process.
- Commissioner Ribeiro thanked the committee for all their hard work.
- Captain Zannelli thanked the Board of Police Commissioners, Lieutenant Colon and her staff. They have worked together on a tremendous amount of policy changes, General Orders, guideline changes. The Board was hit with a lot. The New Haven Police Department is being moved forward in a more contemporary light in lieu of everything that is going on. So, they appreciate the partnership. The volume has been more so than the last four years with the House Accountability Bill, etc. So, they appreciate everyone’s time. They know everyone has families and jobs on top of this.
- Captain Zannelli thanked Chief Dominguez for everything she has done for him personally and for the police department. He appreciates her leadership. If it was not for Chief Dominguez, he would not be here. She helped and encouraged him to transfer here some 15 years ago. Chief Dominguez has done a lot for his side of the house with IA and backgrounds by adding a full-time Recruitment and Backgrounds Unit which had not been done before. So, he thanked Chief Dominguez for her mentorship and leadership. She will be missed tremendously.
- Chief Dominguez replied, thank you.

Commissioner Lawlor motioned to approve the proposed Drug Guidelines that have been provided to the Commission

- ** Commissioner Walker seconded
- ** Motion passed unanimously

- Sergeant Finch stated that 100 conditional offers went out. Currently, 74 applicants have turned in their background packets. The deadline for that is May 11, 2022. They should have a 75 percent response rate. As long as the packets are postmarked before the deadline, they accept the packets.
- He was excited to announce that they are venturing out to Philadelphia for Law Enforcement Diversity Career Fair on Temple University campus. The Connecticut State Police made them aware of this. A background investigator is going out there. This will allow them to expand their reach outside of Connecticut. They will also be at Riverside Academy on Friday, May 13, 2022 for a career fair. This way, they are reaching high schools students and making them aware of the career options they have.
- Commissioner Walker asked about the ranking of the applicants who turned in their packets. Sergeant Finch replied by saying that 14 out of the top 15 had responded. The majority of the ones that did not return their packets are towards the bottom half of the 100. He called everyone that did not return their packets. So, they cannot say they did not know.

EFFICIENCY COMMITTEE REPORT

There was none.

FINANCE COMMITTEE REPORT

There was none.

OTHER BUSINESS

There was none.

PUBLIC COMMENTS

■ Mr. Daniel Hunt greet the Board. He just wanted to say that Chief Dominguez had done an amazing job as Chief. He is going to miss Chief Dominguez very much. He has known Chief Dominguez since she was a sergeant. He had watched her rise through the ranks. He wished Chief Dominguez the best of luck in her future endeavors. He knows she will be with her children now for a little bit. He wished her the best. She is going to be missed.

■ Chief Dominguez replied by saying, thank you.

■ Commissioner Ribeiro indicated that there has previously been a comment regarding the placement of public comment on the agenda. The public seem to be in favor of having it at the end of the agenda which was fine with her. They thought the placement of public comments at the beginning of the agenda would give the public a chance to come to the meeting, say what they needed to say; and if they had to leave, they could. They have decided to put public comment at the end. If there are any other comments that this is an inconvenient place on the agenda, then they would consider moving it.

EXECUTIVE SESSION

- ** **Commissioner Walker motioned to Enter Executive Session for Preliminary Drafts and Notes, Legal Discussions and Personnel Item**
- ** **Commissioner Lawlor seconded**
- ** **Motion passed unanimously**

The Board entered Executive Session at 5:57 p.m.

- ** **Commissioner Meares motioned to Exit Executive Session**
- ** **Commissioner Brooks seconded**
- ** **Motion passed unanimously**

The Board exited Executive Session at 7:10 p.m.

ADJOURNMENT

- ** **Commissioner Walker moved to Adjourn the Regular Meeting**
- ** **Commissioner Lawlor seconded**
- ** **Motion passed unanimously**

The next regular meeting will be on June 14, 2022.

The Board adjourned at 7:11 p.m.

Respectfully submitted,

Sotonye Otunba-Payne