

**REGULAR SESSION MINUTES**  
**JULY 12, 2022**  
**BOARD OF POLICE COMMISSIONERS**  
**NEW HAVEN, CONNECTICUT**  
***VIDEOCONFERENCE AND CONFERENCE CALL VIA ZOOM***

**PRESENT:** Commissioners Darrell Brooks (Joined - 6:12 p.m.); Michael Lawlor;  
Isaias Miranda (Exited - 7:10 p.m.); Evelise Ribeiro; and Donald Walker

Chief Karl Jacobson: Department of Police Service  
Captain Rose Dell: Department of Police Service  
Captain David Zannelli: Department of Police Service  
Lieutenant Manmeet Colon: Department of Police Service  
Lieutenant Nicholas Marcucio: Department of Police Service  
Sergeant Yessennia Agosto: Department of Police Service  
Sergeant Bertram Ettienne: Department of Police Service  
Sergeant Paul Finch: Department of Police Service  
Detective Jonathan Pleckaitis: Department of Police Service  
Officer Jonathan Carson: Department of Police Service  
Officer Reginald McGlotten: Department of Police Service  
Officer S. Shumway: Department of Police Service  
Eva Perry-Lambert: Administrative Secretary

Florence Cotto: President Elm City Local

Regina Rush-Kittle: Chief Administrative Officer  
Michelle Duprey, Esquire: Deputy Corporation Counsel  
Bruce Fischer: Department of Transportation, Traffic and Parking

Chris Alvarado  
Edrick Agosto  
Gerald Antunes: Board of Alders  
Darryl Bracken, Jr.: Board of Alders  
Thomas Breen: New Haven Independent  
Salvatore DeCola: Board of Alders  
Anna Festa: Board of Alders  
Alexandrae Garcia  
Daniel Hunt  
Nancy Jackson-Jordan  
Jonathan Lambe  
Ben Lambert: New Haven Register  
Samantha Otero  
Al Paolillo  
Miguel Pittman, Jr.  
Lenny Speller  
Mathew's iPhone

NH Resident

**OPEN SESSION**

The meeting was called to order at 6:03 p.m., Evelise Ribeiro, Chair, presiding  
Commissioner Ribeiro indicated that Commissioner Meares would be absent.

**REGULAR MEETING OF THE TRAFFIC AUTHORITY**

Following the regular meeting of the Traffic Authority, Mr. Fischer excused himself at 6:29 p.m.

**AGENDA**

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

**DISCUSSION AND APPROVAL OF MINUTES**

Discussion and Approval of the Regular Meeting Minutes of June 14, 2022.

- \*\* Commissioner Brooks motioned to Approve the Regular Meeting Minutes of June 14, 2022
- \*\* Commissioner Lawlor seconded
- \*\* Motion passed unanimously

**CHIEF'S REPORT**

Chief Karl Jacobson

- Chief Jacobson indicated he was very excited to have his first Board of Police Commissioner meeting as the chief. It's been a busy couple of weeks. The Department is making it through it. He is very proud of the Department.
- Chief Jacobson began by thanking Acting Chief Regina Rush-Kittle who did a great job and was a great mentor for him. She helped out tremendously. It had been an incredible journey for both of them in the last two months.
- The reason the Department is heading in the right direction is because of her guidance and help. Chief Administrative Officer Regina Rusk-Kittle's experience and tenacity is very much well noted. He hoped to do this job as she did.
- On Wednesday, July 6<sup>th</sup>, 2022, 20 cadets graduated. It was a great ceremony. The cadets thanked the commissioners who were present.
- Chief Jacobson indicated that he too got sworn as well on the July 6<sup>th</sup>, 2022.
- Most of the newly sworn officers began on Sunday, July 10<sup>th</sup>, 2022.
- Chief Jacobson stated that he ran into one of the newly-sworn officers in the building who told him about how they went to a double shooting call and ended up assisting in making an arrest. It was a great start for him.

- The protest for Mr. Cox took place on Friday, July 8<sup>th</sup>, 2022. The Department had bussing for the protesters to get back to the library. The protesters were provided power for their amplified systems.
- Chief Jacobson indicated that Mayor Elicker, himself, personnel and a couple of the command staff went out and greeted the protesters. It was really a positive interaction. It is going to help the Department move forward with the community which is what has to be done now.
- The Department needs to take responsibility and take the proper actions. The Department needs to also apologize to the community and move on. This was a great opportunity to do that.
- There have been 59 non-fatal shootings and six homicides. Last year at the same time there were 63 non-fatal shootings and 17 homicides. The Department is heading in the right direction.
- However, there has recently been an increase in violence. Due to the rise in violence, the Department met with Project Longevity and made a list of people who were going to be custom notified and also an enforcement list of people known to have warrants that needed to be executed.
- Chief Jacobson further stated that the STF Criminal Intel picked Christian Berraro who had multiple robbery warrants today. He was arrested safely. The search warrant for the house was executed which led to the discovery of two guns.
- The STF Criminal Intel did exactly what is expected of them which is to look at who is going to be shot or possibly shot and make arrests, and getting the guns off the street.
- The Department has seized 114 guns of which 27 guns are ghost guns compared to last year at same time with 102 guns seized of which three were ghost guns. So, ghost guns are a big issue. The Department is working with the Mayor's Office as well as its federal partners. The Department is doing its best to keep the guns away from the younger population in New Haven. The problem is they are ending up in the hands of some young kids.
- On July 11<sup>th</sup>, 2022 there was a double shooting at Sam's Mart on Kimberly Avenue. The Shooting Task Force happened to be in the area. Two officers had some camera footage and were able to identify a shooter. They ended up running into one of the kids on Howard Avenue. The 17-year-old kid who ended up being detained confessed to the shooting.
- Another search warrant was done and the gun used in the shooting was recovered. That was an excellent, quick turnaround regarding this incident. The two gentlemen shot were 34 and 36 years old.
- The Department has been alerting New Haven residents regarding a scam. A person identifying himself as a Sergeant Hammill from the Department has been calling residents soliciting money. So, a lot of people are wrapped up in the scam.
- Mayor Elicker and himself are setting up a bunch of public safety-town hall community conversations and listening sessions related to the incident with Mr. Cox, and anything related to public safety that people want to talk about. The first one has been scheduled for July 14<sup>th</sup>, 2022, 6:00 p.m., at Career Regional High School. The list of future scheduled meetings are forthcoming.
- There was a community conversation on July 11<sup>th</sup>, 2022 at Calvary Church. Chief Jacobson thanked Commissioner Ribeiro for being there. It was very interesting. New Haven's newly-appointed Assistant State's Attorney Jack Doyle was present in addition to himself, the Chief of

the Hamden Police Department and the Mayor of Hamden. There was a lot of good feedback from community members.

■ Chief Jacobson indicated that he wanted to show some of the slides he used during his presentation to the Board of Alders, his vision for the Department. He will be e-mailing all the commissioners the slide show.

■ He wanted to highlight some things. He worked on a lot of topics as follows: Transparency, accountability and stability; recruitment and containment; school safety; solvability; reinvigorating community policing, etc.

■ Chief Jacobson stated he wanted to note two slides, the procedural justice slide and the future of the Department which he saw based on the Pillars of the 21<sup>st</sup> Century in Policing documents from the Obama Administration which our own Commissioner Meares directly worked on. Commissioner Lawlor teaches at the university along this path. This is based on the following: Building trust and legitimacy through procedural justice, policy and oversight (which for the Department starts with the CRB and police commissioners); technology and social media including creation of intel center with cameras, expanded on and purchased the NIBIN machine so there can be turnaround on NIBIN hits immediately; community policing, crime reduction which for the Department means walking beats, giving more power to the district managers, Project Longevity and Project Safe Neighborhoods; training and education which includes more de-escalation training (including involving more of the community partners in the Department's actual training in addition to utilizing the resources of the University of New Haven and Yale University to just really put together a strong training program at the Department); and then sixth is officer wellness and safety which includes annual mental health checks, peer support and getting officers first-rate equipment so they feel cared for.

■ Chief Jacobson further stated that since joining the Department in 2007 there have been nine chiefs. Since he has been selected as the chief, he will stay in the Department to create stability and accountability. He is committed and passionate about serving the city. If anyone has seen him speak, they can see that.

■ One of the ways of boosting morale in the Department is promoting people. This is one of the things on the agenda tonight. He could not be prouder of the Department and the people that are up for their promotion. He expressed his gratitude to the commissioners who interviewed them on such short notice. He thanked Commissioner Walker for setting this up.

■ Commissioner Walker thanked Commissioners Lawlor and Miranda for their time given the time constraints.

■ Commissioner Miranda congratulated Chief Jacobson. He agreed with the chief regarding uplifting morale with promotions and accommodations and the like. He commented that a while ago there were discussions regarding the ballistics machine.

■ Chief Jacobson responded by saying that he had mentioned it. The Department got funding for this. It has been ordered. There will be training regarding the NIBIN Kiosk.

■ Commissioner Ribeiro indicated that she too wanted to express her gratitude to the former Acting Chief Regina Rush-Kittle for stepping in when it was needed. She stepped in during a very troubling time.

■ Commissioner Ribeiro thanked her for her leadership, transparency regarding the very, very unfortunate incident that occurred. She handled it with grace.

■ Chief Administrative Officer Regina Rush-Kittle thanked Chief Jacobson and Commissioner Ribeiro for their kind words.

## **INTERNAL AFFAIRS REPORT**

Lieutenant Manmeet Colon

■ Lieutenant Colon indicated that since July 5<sup>th</sup>, the Department's total complaints for year are 47 cases in Internal Affairs of which 31 are currently open. There are 31 in Internal Affairs, 6 in Patrol. One is open in ISU, one withdrawn and one exoneration, four unfounded, two were summary actions, one was referred to another agency.

■ Last year at this time, there were 53 cases.

**IA CASE NO. 22C-020:** The complainant in this was very vague. He did not list any information in his complaint form. Therefore, his complaint was not complete. The officer involved was interviewed. He had no idea what the complaint was about. Several attempts were made to reach out the complainant to no avail. Therefore, this case was unfounded.

**IA CASE NO. 22C-022:** The complainant in this case stated that the officers did not make a proper next-of-kin notification of her deceased uncle. It was determined that the proper notification was not made. And a summary action was completed based on the officers involved.

**IA CASE NO. 21C-084:** The complainant stated that an officer was rude to him, antagonistic and unprofessional. Based on the body-worn camera footage, it was determined that there were no threatening statements made. This case was also closed as unfounded.

**IA CASE NO. 21C-006:** The complainant stated that excessive force was used and officers used the police canine to injure the arrested party. Based on the information that was received, body-worn camera footage, supplemental reports, incident reports, it was deemed that the officers engaged in no misconduct, and the act was justified and proper. This was also closed as unfounded.

**IA CASE NO. 21C-090:** The complainant stated that the officer responded to her accident investigation and towed her vehicle without cause. It was found during the investigation that the officer issued a person an infraction but did not properly identify the person. Based on the body-worn camera footage, officer interview and the witness interview, this case was sustained. And it is pending discipline.

**IA CASE NO. 21C-033:** The complainant in this case stated that the officer did not conduct a field sobriety test neither did he look for any video surveillance in the area where the accident occurred. It was determined that the officer did look for video surveillance in the area on several occasions, and that there was no evidence of anyone being intoxicated at the scene. The investigation was closed as unfounded.

**IA CASE NO. 22C-003:** The complainant in this case stated that the officers planted a firearm on him and also used excessive force. Based on the body-worn camera footage and information available to the officers, no such act that occurred. This investigation was closed as exonerated.

## **PERSONNEL MATTERS**

1. Discussion and action on the recommendation to remove the following candidates from the Eligibility List #22-17:

1. #1 Samantha Otero
2. #30 Alexandra Garcia

Commissioner Ribeiro asked the two candidates if they wanted to be heard in an open session or a closed session. Both candidates opted for a closed session.

- \*\* **Commissioner Walker motioned to Enter Executive Session for Personnel Matters**
- \*\* **Commissioner Miranda seconded**
- \*\* **Motion passed unanimously**

**The Board entered Executive Session at 6:51 p.m.**

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

**The Board exited Executive Session at 7:21 p.m.**

Commissioner Ribeiro noted for the record that Commissioner Miranda had to leave the meeting at around 7:10 p.m. There is a quorum.

- \*\* Commissioner Walker motioned to remove Samantha Otero based on the recommendation
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

- \*\* Commissioner Walker motioned to remove Candidate Alexandra Garcia based on the recommendation
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

2. Discussion and action on the recommendation of Chief Karl Jacobson that the following candidates be promoted to Assistant Chief:

1. Captain David Zannelli
2. Sergeant Bertram Ettienne

Chief Jacobson stated the he recommended that Captain David Zannelli and Sergeant Bertram Ettienne be promoted to the Rank of Assistant Chief. These two gentlemen have been with the Department for 15 and 20 years respectively. They've worked in multiple divisions. They communicate well and have good standing in the community. They bring different qualities to the table. He is excited about having them. It would

balance out his inner command staff to where he needs it. They need more than two assistant chiefs. This is going to help the Department move forward.

Commissioner Ribeiro asked the two candidates to speak a little bit about themselves and their visions. Captain Zannelli and Sergeant Bertram Ettienne both did.

Commissioner Walker added that he thought both of these gentlemen would make amazing leaders. In addition he read a letter written by former New Haven Police Department Sergeant Shafiq Abdussabur in support of Captain David Zannelli and Sergeant Bertram Ettienne.

Commissioner Lawlor added that he, Commissioners Walker and Miranda were part of the interviews for all of these nominations tonight. It is just a very impressive group that the chief had assembled. He is very optimistic about how this is going to play out over the next months and years. Everyone seems to be ready for this. He is very happy to be supporting all these nominations tonight.

- \*\* Commissioner Walker motioned to promote Captain David Zannelli and Sergeant Bertram Ettienne to the Rank of Assistant Chief following Chief Jacobson's recommendation
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

Commissioner Ribeiro congratulated both candidates and wished them much success in Department and the next chapter of their lives. Both thanked Commissioner Ribeiro.

- 3 Discussion and action on the recommendation of Chief Karl Jacobson that the following candidate from Civil Service Eligibility List #21-18E (Police Captain) be promoted:
  1. Lieutenant Nicholas Marcucio

Chief Jacobson recommended that Lieutenant Nick Marcucio take Captain Zannelli's vacant captain spot. Lieutenant Marcucio has a special place in his heart. He and Lieutenant Marcucio started walking the beat together in the Hill when he joined the Department in 2007. He would say Lieutenant Marcucio caught most of the people when they got on foot chases. They had a good relationship in this journey together. Lieutenant Marcucio has served in many divisions throughout the Department such as street interdiction, robbery/burglary, but one of his major roles is the Emergency Services Coordinator which is an important job for the Department. He was also the commander of the SWAT team for many, many years. That's a hardcore position where you have to make life or death decisions all the time. He commended Lieutenant Marcucio for his service. He was excited to have him as a captain.

Commissioner Ribeiro asked Lieutenant Marcucio to say a little bit about himself and what his vision is. Lieutenant Marcucio did.

- \*\* Commissioner Walker motioned to adhere to Chief Jacobson's recommendation to promote Lieutenant Marcucio to Rank of Captain
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

Commissioner Ribeiro indicated that the Board had high expectations. They believe he will do well. Lieutenant Marcucio was congratulated.

4 Discussion and action on the recommendation of Chief Karl Jacobson that the following candidate from Civil Servicer Eligibility List #21-27E (Police Lieutenant) be promoted:

1. Sergeant Yessennia Agosto

Chief Jacobson stated that Sergeant Agosto has been working with him directly for three years in the Special Victims Unit. Extremely, extremely hard work. She has about five different units all within one over there, missing persons, domestic violence, you name it, she has it. When he calls her, she answers or calls him back immediately and usually she would have the answer already, and not have to search for it. This is such special and delicate work. She's done it for years and years. They are extremely proud of her. She has almost 21 years of service.

Commissioner Ribeiro asked Sergeant Agosto to speak about herself and her vision. She did.

- \*\* Commissioner Walker motioned to adhere to Chief Jacobson's recommendation to promote Jesse Agosto to from Rank of Sergeant to the Rank of Lieutenant
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

Commissioner Ribeiro congratulated Sergeant Agosto. The Board has high expectations and know she will do well.

5 Discussion and action on the recommendation of Chief Karl Jacobson that the following candidates from Civil Service Eligibility List #21-08E (Police Sergeant) be promoted:

- 1 Detective Jonathan Pleckaitis
- 2 Officer Jonathan Caron

Chief Jacobson indicated that he would like to promote Detective Jonathan Pleckaitis and Officer Jonathan Caron to the Rank of Sergeant. Officer Pleckaitis came on with him in 2007. He has extensive walking beat experience. He is a very community outreach oriented. He has worked on everything from shootings to homicides, and done a really good job. They appreciate his service. Officer Caron has a little less time on the job, but really a go-getter. He had been identified to be sent to a task force but he was already on the sergeants' list. He was caught working for free while off duty putting in ring cameras for elderly people in Fair Haven once.



He's just an outstanding person. He goes above and beyond and does it on his own time. They appreciate Officer Caron as well.

Commissioner Ribeiro told both to share their visions. They both did.

- \*\* Commissioner Walker motioned to follow the Chief's recommendation to promote Officer Pleckaitis and Caron to the Rank of Sergeant; he will bring them together because he thought they were both outstanding officers and he did not think this would be a contentious vote
- \*\* Commissioner Brooks seconded
- \*\* Motion passed unanimously

Commissioner Ribeiro congratulated Detective Pleckaitis and Officer Caron. She congratulated all promoted. She congratulated Chief Jacobson as he had made some very good and impressive recommendations. This is a beckon of light during this time. She thanked Chief Jacobson.

#### **RETIREMENTS (For Board information only)**

There were none.

#### **RESIGNATION (For Board information only)**

Officer Ryan Hooper, eff., August 4, 2022

#### **RECRUITMENT/SELECTION COMMITTEE REPORT**

■ Sergeant Finch indicated that tonight was the first of six information sessions which was at the Wilson Hill Library. The Department will be accepting applications starting August 1<sup>st</sup>, 2022 He would appreciate any help in just spreading the word so that way everybody who is interested in applying knows.

■ They currently have six candidates in the medical phase which is pretty much the last step before being interviewed by the Board and the Chief. They are happy about that. There are two in the psychological phase and another two would be going for the polygraph test. They are looking to put five or more in the Waterbury Academy at the end of August. And then hopefully another five would go to the POST Academy in September. They are excited because there are almost 40 people on their list of which close to 10 candidates would be ready to go pretty soon

■ Sergeant Finch added he is continuing with the weekly training sessions to make ensure that the candidates are ready to go for the actual physical agility test. That is the best time to mix and mingle with anybody who is interested.

■ Sergeant Finch indicated that the Department is accepting applications for certified officers until July 18, 2020.

#### **EFFICIENCY COMMITTEE REPORT**

There was none.

#### **FINANCE COMMITTEE REPORT**

■ Commissioner Ribeiro indicated that the fiscal year ended on June 30<sup>th</sup>. The committee will convene at some point to take a look at last year's budget and this year's budget for reporting at the next meeting.

■ Commissioner Ribeiro stated that Commissioner Miranda left earlier but wanted her to express his support for all the promotional candidates, and wanted to extend his congratulations in the event they were approved.

## **OTHER BUSINESS**

### Discussion on Special Order 22.03 Prisoner Transportation

■ Commissioner Ribeiro indicated there was a press conference the other day as a result of the very unfortunate events that happened with Mr. Cox a few weeks ago. The Department was able to get a special order in place regarding prison transportation. The special order expeditiously because the Department felt it was urgent enough to do before the commissioners' meeting where the body would normally approve General Order. So, that was done. It does not need the commissioners' approval, but the staff will continue to work on a General Order for the commissioners' approval. They felt that in being transparent and also to make the commissions were fully aware of what was going on regarding the ceremoniously approved special order, they wanted to present that this evening.

■ Chief Jacobson thanked Chief Administrative Office Rush-Kittle as she jumped on this right away and signed it. They are planning on reworking the General Orders, but that takes a little bit longer. Those General Orders will come before the Board. They have had great success with the Board reviewing the Department's General Orders and giving it feedback.

■ Chief Jacobson further stated that this special order relating to transportation and seatbelts is to ensure that everybody wears a seatbelt. They talked training. Captains Dell and Zannelli would speak about these things.

■ He thanked Captain Dell and Acting Chief Rush-Kittle because she spent an entire weekend with Corporation Counsel Pat King just working on this expeditiously.

■ The prisoner vans have been installed with seatbelts. They are not being used as the major mode of transportation currently, only for court runs unless there are multiple people in the vans or if there is a special event that requires the vans.

■ Chief Jacobson indicated that the Department will use the safer mode of transportation, the back of the cruiser in a single compartment.

■ Captain Dell stated that in January of 2016 the Department obtained a videorecording system for the prisoner transportation vans. At the time a General Order was issued on prisoner transportation and officers received training on the policy and the use of the videorecording systems.

■ This new General Order both modifies and clarifies the Prisoner Transportation General Order. The special order emphasizes the safety and security of prisoners, officers and the public when a person is taken into custody and transported.

■ There are three main changes to the policy. First, as mentioned by Chief Jacobson, the primary mode of transport was changed from the prisoner conveyance van to a marked police

cruiser. The prisoner conveyance van can only be used now for transportation to court when prisoner size or physical condition precludes the use of a cruiser for transport or if there's a special event that may result in multiple arrests.

■ A second change in the policy is it requires the use of seatbelts during transport. If the prisoner is combative and the officer cannot seatbelt the prisoner, the officer must obtain permission from a supervisor to transport without a seatbelt.

■ And, lastly, is the inclusion of medical Miranda questioning. So, officers are now to ask questions prior to transport and then upon arrival at the detention facility whether a prisoner is injured or needs medical attention. If either of these conditions exist, the officer shall request EMS immediately.

■ So, in addition to these three changes, the policy incorporates step-by-step instructions as to what an officer is to do if a prisoner is injured, complains of injury or appears to be in need of medical attention while in transport. These steps include the officer notifying their supervisor and requesting EMS. The officer is to pull over and await the arrival of EMS.

■ Captain Dell further stated that, lastly, the policy prohibits officers from using cell phones during transport and exceeding the posted speed limit.

■ Commissioner Lawlor commented that he thought it is great. He wanted to ask some clarifying questions. He added that he was guessing that a pretty big percentage of people who are being transported are unstable in different ways. Perhaps, they have a mental health issue, perhaps they are highly intoxicated. He noted that at the end of this policy, specific training would follow for officers about how to recognize these signs.

■ Commissioner Lawlor asked, if someone was extremely intoxicated, would that count as an unstable, medical condition or something like that?

■ Chief Jacobson replied by saying that that would be a call to be made by the supervisors and officers. Since the prisoner transport issue, they have had somebody intoxicated and uncooperative. The officers called AMR and person was transported by AMR.

In the middle of the transport, they decided to take person to the hospital. Officers have the ability to call AMR. They have the ability to do something different upon recognition of that.

■ Commissioner Lawlor indicated he wanted to point something out. If he was an individual officer, he would like a lot of guidance on how to distinguish between someone who is just kind of drunk versus someone who is so drunk that maybe it's really a medical condition because that can contribute to other problems. And, of course, there's the mental health question. Is that always going to trigger this? How do you know what appears to be severe enough to trigger this policy?

■ Captain Dell replied by saying that officers do receive training on emotionally disturbed persons as well as intoxicated individuals. The Department does talk about the distinction between individuals that are intoxicated versus those that are incapacitated. This is covered both in policy as well as within training.

■ Commissioner Lawlor asked, for someone who is so intoxicated, they are essentially incapacitated, and that would actually trigger this wait, summon medical attention right there?

■ Captain Dell responded by saying, correct. Officers are trained that if someone is incapacitated, they get taken to the hospital, not to detention.

■ Commissioner Lawlor asked, for a mental health situation is there a sort of a line between the person is not making any sense versus seems to be completely incoherent?

■ Captain Dell responded that the standard is, is someone a threat to themselves or others and if they are unable to care for themselves and they are so mentally unstable that they are not aware of time, place. Those are considerations as to whether a person needs to be transported or for a psychological evaluation.

■ Chief Jacobson added that if the person is a danger such as if buckled in, the person continues to unbuckle himself/herself, instances like that where it is clear that some kind of medical transport is more feasible. The officers are being told to use their judgments but don't to be afraid to call a rescue and have them taken by a rescue. If there's a line and the officer is not sure, then take the safe line and call a rescue.

■ Commissioner Lawlor indicated that the policy seems to mandate that the officer not do anything until they get guidance from their supervisor in that situation. Does that mean like any time someone is pretty intoxicated, before an officer does anything, a supervisor would have to be contacted to get a green light?

■ Chief Jacobson responded that the contact would be via radio to get a green light for that. It does not necessarily mean the supervisor has to go. The supervisor can decide based on the officer's judgment as well.

■ Captain Dell added that it is contact, and not permission. It is notification of the supervisor, not to obtain permission. Officers ask for EMS all the time.

■ Commissioner Lawlor said, understood.

■ Commissioner Ribeiro asked, where does it say that?

■ Commissioner Lawlor stated, if a prisoner is injured or complains of injury, the officer shall immediately contact their supervisor and request that EMS be dispatched.

■ Chief Jacobson said that it sounds like the officer will contact the supervisor and request EMS just to apprise the supervisor of the situation.

■ Commissioner Ribeiro said it did use the word "permission" in a previous bullet. She asked, is that what we want, permission, or just contact?

■ Chief Jacobson responded by saying the permission one is based on like someone not fitting in the car or something not as clear as a medical situation.

■ Captain Dell added that the permission is to transport without a seatbelt.

■ Commissioner Lawlor wondered if these are the types of things that would be covered in the training that's mentioned at the end of the special order. He is just putting himself in the position of an officer who sees someone who is drunk and is wondering if the person is so drunk as to warrant a call to the supervisor immediately as this policy appears to mandate that. He wondered if the officer has the discretion to say, he's not that drunk or seems to have mental health issues, but it doesn't appear to be a big problem at the moment. For the benefit of the officers who are going to have to make these decisions and do not want to run afoul of the policy, he hoped during training these things would be clarified so that everybody understands.

■ Chief Jacobson indicated he had observed some of the training. For example, if a person is buckled in and the person is not safe, then that tells you that, etc.

■ Commissioner Lawlor asked what if the prisoner says I'm a CIA agent and call the president, is that going to trigger this or not?

■ Chief Jacobson said not if the person can be safely transported. There will be another evaluation at the detention center.

■ Commissioner Lawlor indicated that the policy seems to be saying if there is any unstable mental health status. He asked, what counts as an unstable mental health status?

- Chief Jacobson replied by saying all these could be clarified in the General Order. It is a great point. They have to clarify that.
- Commissioner Lawlor said for the benefit of the officers who have to follow these policies, there should be clear guidance and training for officers to know so no one can say after the fact that it was not clear.
- Commissioner Ribeiro indicated that these were good points by Commissioner Lawlor. The General Order could be revised or updated. She asked Chief Jacobson if the Department had a year to make changes to this General Order.
- Chief Jacobson replied that it would be done a lot sooner.
- Commissioner Ribeiro started that given the nature of the situation, the Department wanted to have something right away. There would be revisions pertaining to detention and arrests. In speaking with Captain Zannelli, they are taking a look at a lot of General Orders to do with the accountability bill, but all the General Orders. She recommended that this issue be on the top of the queue so it could be revised and voted on expeditiously.
- Commissioner Brooks stated that to Commissioner Lawlor's point, one of the things that would be critical to making an assessment is that the officers are training at least to a MRT level to make a very quick medical assessment as to whether the person/persons are a danger to themselves and/or there are underlying medical issues. The policy is a great start. He thought there needs to be some guidance around doing a medical assessment. If people made an assessment medically in particular as the event progressed as they got down to One Union Avenue, there are a lot of things that could have been prevented.
- Chief Jacobson said he understood what Commissioner Brooks was saying regarding a fine-line medical issue. They didn't need clarity with Cox. Mr. Cox said, I think I broke my neck. He should have been treated medically. And that's one thing they will ensure never happens again. He understands what both commissioners are saying. There will be fine-line circumstances and the officers need better training. But the Cox situation, there was no fine lines. H should have been medically treated immediately. And Mr. Cox said the right things. And what happened, he was hurt, he was seriously hurt.
- Chief Jacobson said, he gets what is being said, the Department has to break it down so it's easier for the officers. But when you reflect on the Cox situation, there should have been no question that he should not have been moved. The officers did not need medical training to know that when Mr. Cox said, I think I broke my neck, he needed to remain there.
- Chief Jacobson further stated that officers would ask these questions, if any response is a yes, a medical treatment is required immediately. It is a simply policy now but the Department needed something immediately in place to address that seatbelts need to be put on people. The seatbelt thing is the Department's fault, not the officers. The Department should have been belting people in. There is a need to dive deeper and to make sure the evaluations are being done.
- To reflect back on the Cox thing, that was not handled correctly. The Department wanted to fix that right away.
- Commissioner Ribeiro said this type of policy should be put at the top of the queue for review and approval by this Commission. It's one thing to make policy and to approve policy. To Commissioner Lawlor's point, there needs to be adequate training, training manuals, things that officers are trained on and signed off on that they are trained. So, no one will come back and say he/she didn't receive adequate training. This is key. We need the record that officers

got training. This help the Department and this Commission to hold officers accountable for activities or bad behavior particularly when they are not following policy.

■ Captain Zannelli added that the training that is going on regarding this special order consists of a practical application where officers have to actually seatbelt prisoners live. It consist of a quiz on Power DMS. Power DMS is a computer system where an officer can go and read the policy. It's all tracked digitally. So, there's multiple components of this training and it's all archived. So, some of the concerns regarding training, officer proficiency, etc., would be addressed currently with this special order.

■ Commissioner Ribeiro thanked Chief Jacobson, Acting Chief Rush-Kittle, Captain Dell, Corporation Counsel and all who worked on this for recognizing the seriousness of the situation, in addition to being transparent, that policy needed to changed and expeditiously. She hoped the Department would continue in this vein.

■ Commissioner Ribeiro stated for the record that what happened to Mr. Cox, very, very unfortunate. It was disheartening and disappointing to see that. My personal thoughts and prayers go out to him and to his family. She did not have an opportunity to speak with the family as she was out of the country for the last two weeks. She wanted to convey that. They are very sorry for the incident that occurred and for Mr. Cox's condition. Our prayers are with him and with the family. The comments are on behalf of the police commission.

### **PUBLIC COMMENTS**

■ Mrs. Young congratulated all those promoted via the Chat feature of Zoom.

### **EXECUTIVE SESSION**

There was none.

### **ADJOURNMENT**

\*\* Commissioner Walker moved to Adjourn the Regular Meeting

\*\* Commissioner Lawlor seconded

\*\* Motion passed unanimously

The next regular meeting will be on August 9, 2022.

The Board adjourned at 8:15 p.m.

Respectfully submitted,

Sotonye Otunba-Payne