

**City of New Haven Civilian Review Board**

**Subcommittee Meeting Minutes**

Date: Thursday, March 23, 2023 5:30 PM

Minutes by Alyson Heimer, CRB Administrator

Approved by the Board: DRAFT



(City Notice-New Haven) The Civilian Review Board's Subcommittee on Cases 22C-037 and 22C-056 will meet online at 5:30 PM on Thursday, March 23, 2022 at <https://bit.ly/3qpgjYW> and at (646) 558 8656 WITH Webinar ID: 86705554239 with this Special Audio Only Passcode: 801828439

- to discuss Case 22C-037, and 22C-056 and related matters

Per Order: Hon. Anne Marie Rivera-Berrios, Chair; Attest: Hon. Michael Smart, City/Town Clerk.

TO JOIN THE MEETING VIRTUALLY GO TO <https://bit.ly/3qpgjYW> OR FOR AUDIO ONLY DIAL (646) 558 8656 WITH Webinar ID: 86705554239 AND THIS Special Audio Only Passcode: 801828439

FOR ANY ACCESSIBILITY RELATED ACCOMMODATIONS PLEASE CONTACT (203) 946 7651 (V) OR (203) 946 8582 (TTY)

**Attendance:** John Pescatore, Melvin Counsel, Jean Jenkins

**Not in attendance but assigned to the subcommittee:** Iva Johnson, AnneMarie Rivera-Berrios

Called to order by John Pescatore at 5:33pm

**Case 22C-037**

Pescatore: in Summary, the Complainant on April 28th called the non-emergency line to report an incident. The assailant is the ex-husband and father of a child, who was in the hospital with symptoms of a seizure. Officer's body camera recorded the exchange. Claimant felt the officer was paraphrasing the complainant's statements and allegations, minimizing the statements.

Counsel: The police investigation took statements from the husband and found no evidence of wrongdoing.

Jenkins: the mother was concerned because the father was in bed with the child, and believed the child was inappropriately fondled. It seems like the officer was not being sympathetic and that the mother, who had a gut reaction about what happened, even though she didn't witness any wrongdoing, [the complainant] would have felt better if the male officer had been more sensitive about her special needs child being fondled, the officer should have shown more sensitivity.

Pescatore: the young male officer was doing his best, but he didn't know how to be, or in a position to respond to the situation in the way the mother would have wanted. I see why the mother thought the officer was not being more accepting of the concern and not treated with enough sensitivity, but the officer did the best he could in the situation.

Counsel: would have been a good time to have COMPASS - or other support.

Jenkins: I agree.

Pescatore: Now this case is about the insensitivity of the officer. So all we are here to determine is based on the complaint, was the officer insensitive or blaming her for the assault or dismissive of her concerns?

Counsel: Compass would have been a good idea, at that time he should have, could have, called for compass to step in.

Jenkins: Yes, he should have called in Compass because he may not have had the correct training to do that, he may not even have known he was being dismissive or coming across as dismissive. He should have called a female officer in, maybe.

Counsel: what was the conclusion of this? I didn't see in [in the video] that he as the officer did anything wrong except not having been trained in this.

Pescatore: Yeah I don't think he did anything wrong. Do you think he made any mistakes?

Jenkins: I don't think he did anything wrong, but he may have come off as dismissive to her because he didn't know how to handle that situation, or hadn't been in that situation before.

Pescatore: So we could make sure that in our report to the complainant, that she knows that we feel she has every right to feel this way, as if the officer was unnecessarily dismissive. It must have been awful to feel like you think or you know your ex husband may have done something of this nature and to have the officer react as he did may certainly have felt like he was not being as understanding as he could have been. But from the evidence and the investigation, the officer didn't know how he was coming across. Was it reasonable to expect this young officer to give her the level of understanding and empathy that the mother felt the situation deserved?

Jenkins: I think it is reasonable that a public official should have the correct training to handle this situation. He did do as well as he was capable of doing, but he needs more training for this situation so the parent of a child who is special needs, and this abuse may have been going on for a while and now the mother is moving to have it documented, maybe finally. But the officer didn't calm her, console her, he didn't sit down next to her, he stood up away from her the whole time, and those little things make a difference to a concerned mother.

Pescatore: Do we want to find the case as unfounded? IA marked it as an unfounded complaint.

Counsel: this is a classic case for compass and it makes sense to add a footnote that this should have been referred out either to compass or a female officer.

Pescatore: okay I will check in with [Heimer] for the notes to write this up.

### **Case 22C-056**

Jenkins: I'm going to have to leave, so I will have to quickly say what I feel about this case.

Pescatore: To summarize, this one is about the person who came over to the officer in the car and he was screaming that there was a guy who was having a seizure, and no one cared and no one was helping.

Counsel: Yeah he needed medical attention and the officer seemed like he didn't want to get involved in something that might be on the news later.

Pescatore: Member Jenkins, since you have to go would you like to start?

Jenkins: I don't like how he got out and said "Its people like you" "It's guys like you." and I expect an officer to get out and help in. I don't want an officer like that in my neighborhood. I told IA I want a civil servant to get out and help. I think that officer needs to retire. We don't need officers like that to make comments like that and he didn't help the man on the street, the people on the street helped that man.

Pescatore: So do you feel that you buy what [the officers] were saying, that they didn't get out of the car and help because they were faced the other way and didn't see it.

Jenkins: nope, I have to go, but no I don't believe that and I don;t think they had the right attitude to handle the situation.

{Jenkins logged off}

Pescatore: Member Counsel do you feel the same way?

Counsel: I think once they got out of the car and got involved they did a little better, they didn't ignore the situation. I feel like IA said they gave him a reprimand, which is hard because he's retiring. It's tough because you have someone running up to your car, yelling and cussing him out, but I think a reprimand was right.

Pescatore: the officer needed to be spoken to, I think a minor retraining was appropriate. I don't know if much more than that was necessary.

Counsel: I'm sure things pop up all the time when they are in a situation like that. You can call the paramedics.

Pescatore: I think the thing that upset me was that Mr. Bellamy [the complainant] was frantic and very upset because the man who needed help wasn't getting it, and it was a potentially critical event. And he's yelling "people like you" "people like you" but if you can't keep your composure with one person yelling at you, are you the right person to handle a more intense situation?

Counsel: I think we are on the same page with both cases. And you can write it up and submit it.

Pescatore: Anne Marie had some comments and see if it aligns with the group - and not read them into the record, and then do a formal write up. So everyone can review what I add as their comments and make sure I got it right.

**Adjournment:** Meeting closed 6:06pm.