



## City of New Haven Civilian Review Board

### Minutes for Monthly Meeting

Date: April 24, 2023, Time 6:00pm

Approved: May 22, 2023

#### **Virtual Attendance:**

Please click this URL to join via Zoom:

<https://us02web.zoom.us/j/86705554239?pwd=SS91bFM4Uk1YM05WREF5bIBzMTBDUT09>

Passcode: NHCRB2021

Description: Civilian Review Board

Dial In: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782  
or +1 346 248 7799 or +1 669 900 9128

Webinar ID: 867 0555 4239 Passcode: 801828439

#### **In-Person Attendance:**

New Haven City Hall, Meeting Room 3  
165 Church Street  
New Haven, CT 06510

#### Minutes:

1. Call to order (6:00)
2. Attendance at opening of meeting (6:01)
  - a. Present: Acting Chair Rivera-Berrios, Members Counsel, Fawcett, Jenkins, Johnson, Pescatore, Richardson.
  - b. Absent: Members Carter
  - c. Other Attendees: LT Smith, Asst Chief Ettienne, Mary O'Leary (Press), Alyson Heimer (Administrator), Al Lucas (Board of Alders), Jamarr Farmer, Sandra Sandria, Tasha Blanco, Norm Clement.
3. COMPASS Presentation by Dr. Tebes (25-30 minutes)
  - a. Compassionate Allies Serving our Streets (COMPASS) has a leadership board of 4 members who are social workers, healthcare professionals, and others with lived experience. The program was created after 14 focus groups including community sessions and 250 members of the Elm City. Part of a community emergency response grant through SAMHSA dealing



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with mental health and substance abuse approaches. Post-crisis support was needed in prisons, the ER and in the community following the emergency event.

- i. Created a crisis team, but also has a system of sustainable support for those with ongoing need for issues. The community advisory board and evaluations process also serve to ensure success. Spring and Summer of 2022 was the start of a 38 month pilot. Staff was hired and a data dashboard to track services and referrals was created in the Fall. Visited CMTs and launched the website in the Fall and Winter of 2022. Official launch was November 1, 2022.
- ii. 38% of individuals served are female, 61% Male, and 1% transgendered.
- iii. Prioritizing peer to peer connections are important, especially for substance abuse connecting people to mentors in recovery. Refer people to services and transport people to non-emergency services but not able to transport to the hospital - must go with AMR.
- iv. Following up with people 48 hours afterward and 1 month following a call.

Questions:

Member Pescatore: what was the breakdown of types of calls and what kind of calls are not eligible for COMPASS response

Dr. Tebes: Cannot respond to violent crime calls. Can come to outreach and 911 calls. Usually called to a scene after police, or other initial contact is made.

Member Johnson, who serves on the advisory counsel for COMPASS, as well as the CRB, thanked Dr. Tebes for all the progress that has been completed in such a short period of time.

Member Pescatore: Who are the people responding?

Acting Chair Rivera-Berrios: Do you have anyone who speaks sign language?

Dr. Tebes: We have two Spanish speakers, members of non-binary and traditional genders, and we are trying to recruit people who speak sign language and other common languages in town.

Member Carter joined the meeting at 6:32pm.



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#### 4. IA report

a. Lt. D. Smith to present the IA report for cases (6:30)

i. IA Case No: 22C-058: Unfounded

Complainant claimed that her husband did not sign the Miranda form, and that the signature was forged.

ii. IA Case No: 22C-070: Sustained

The Complainant was the victim of a severe hit and run, and the officer had failed to investigate who was operating the vehicle. The original complaint was not found to be sustained, but the investigation revealed other misconduct

Member Jenkins: What are the issues that were sustained?

LT Smith: The Officer was found to be in violation of 2 general conduct orders and in violation of reporting. He filed an addendum a few months later.

Member Pescatore: the complaint was that he was not contacted in a timely manner about the details of the hit and run. How long did it take the officer to contact the victim?

Lt Smith: it took the officer 3 months to reach out to the victim. He was in the hospital and it was difficult to locate him.

Member Jenkins: Was the vehicle that hit Mr. Sunchild ever found?

Lt Smith: No.

Acting Chair Rivera-Berrios: What protocols are there for determining if a person is too injured to speak to an officer?

Lt. Smith: The officer tried to make contact but the victim was too injured to speak about the crime.

Asst Chief Bertram Ettienne: There is no set timeline on how quickly making contact with witnesses and victims should happen. Each case is different.

Member Pescatore: its up to the officer to do the investigation in a timely manner and do his due diligence. At what point should an officer seek assistance when his investigation is not getting anywhere.

Lt Smith: an officer should be capable of completing an investigation.

Asst Chief Ettienne: in some cases the investigation will be referred to a detective,



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Member Richardson: It seems to me that if the complainant says he didn't feel anyone reached out to them in a reasonable time, then why would the officer say the victim was in too much pain to speak?

Lt Smith: The complaint was that they didn't reach out to him with any updates. And that the investigation wasn't happening and that was not found to be accurate.

Member Richardson: And the reason given by the officer was that the reason the officer says he didn't communicate with the victim for three months.

Lt. Smith: the officer was waiting for information to come in before giving an update to the victim. The officer did not relay the information in a timely manner, it wasn't that the officer wasn't completing the investigation.

Member Richardson: So him being injured seems to have no part in why the officer wasn't communicating with him.

Member Jenkins: what was the consequence for the officer of not reporting in a timely manner? Since the complaint was sustained.

Lt. Smith: The case was closed on the 3rd of April.

Asst Chief: how long was the victim in the hospital? Sometimes when officers go to the hospital doctors and hospital personnel won't let police speak to the officers. If the person is heavily medicated then an officer may be told not to speak to the victim.

Member Johnson: Why was the injury noted as a reasonable response for not reaching out to the victim?

Lt Smith: looking for additional information on the timeline for how long Mr. Sunchild was in the hospital or rehab.

#### iii. IA Case No: 22C-072: Unfounded

Complainant believes he was being targeted because of a previous incident. The case was determined to be unfounded based on the body cam footage.

#### b. IA Case Statistics

i. 2023 Total number of complaints YTD: 20

ii. Total Currently Open: 20 (2023), 45 (2021), 9 (2021)

Member Richardson: How many complaints in 2023 have been found unfounded?

Lt. Smith: Will look for statistics



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Acting Chair River-Berrios: There are 74 open cases, and none of the cases from 2023 have been closed yet.

Asst Chief: There are a lot of cases that are open not because of lack of investigation but because of scheduling issues, and maybe people go on vacation or there's a union issue.

Acting Chair Rivera Berrios: doing the math, 2021 had 50% of closed cases resulting in unfounded status, for 2022, 57% have been deemed unfounded, and none have been closed for 2023.

- iii. Use of force stats: use of force has decreased overall compared to the past 3 years.

Public Comment or Questions: Jamarr raised his hand but was unable to speak.

#### 5. Chair's Report (6:45)

##### a. Update on RFP for attorney (chair)

- i. Attorney LaMarr asked for the Board member names who will be on the committee to review applications. The following Board members volunteered to be on the subcommittee to review applicants: Member Johnson (chair), Member Richardson, Member Pescatore, Member Rivera-Berrios. When the RFP closes the subcommittee will need to meet within the following two weeks. Administrator will send out a poll to choose the best time.
- ii. Update for RFP for consultant (chair) - not yet completed by the finance department.

Member Jenkins: is the consultant different from what Alyson is doing?

Acting Chair Rivera-Berrios: the consultant is what Emma Jones was doing.

Member Johnson: Does the RFP have a dollar amount for the investigator and consultant

Acting Chair Rivera-Berrios: There is no RFP for an investigator. The person who wants to be the consultant has to come up with their own amount and determine their own scope of work.

Member Johnson: Do we have any limits on that cost?



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Acting Chair Rivera-Berrios: We do have a budget as a Board but we have control over how much we wish to pay out of the budget the Board has been allocated.

Member Jenkins made a motion to have the Finance Department provide a complete audit of the Board's finances with backup information to support the fees. Member Fawcett and Member Rivera-Berrios seconded and third

Carter: yes

Counsel: yes

Fawcett: yes

Jenkins: yes

Johnson: yes

Pescatore: yes

Richardson: yes

Rivera-Berrios: yes

Administrator Heimer will make a formal request and include all backup documentation that supports each charge.

#### 6. Administrator's Report (6:50)

- a. Member reappointments process. Administrator Heimer informed the board that a potential new member was being interviewed at the Aldermanic Affairs Committee meeting being held simultaneously with the CRB meeting.

- i. Member Johnson: Why was Mr. Kimbro's application put forward to the BoA before other people who have applications on file?

This was at the special request of Alder Tyisha Walker-Myers and is the specific replacement for Samuel Ross-Lee, an at-large member who resigned last year.

- b. Update on off-site location status
    - i. The Acting Chair and the Administrator will meet Asst Chief Etienne and others from NHPD within a week to discuss the off-site location details and set up the first case files viewing.
  - c. Backlog of minutes



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- i. Vote to approve minutes for the Special Meeting of April 18, 2023.

Rivera-Berrios motioned to approve: Member Pescatore seconded.

- a. Carter: approve
- b. Counsel: abstain
- c. Fawcett: approve
- d. Jenkins: approve
- e. Johnson: abstain
- f. Pescatore: approve
- g. Richardson: abstain
- h. Rivera-Berrios: approved

- ii. Vote to approve minutes for March 27, 2023.

Rivera-Berrios motioned to approve: Member Jenkins seconded.

- a. Carter: approve
- b. Counsel: abstain
- c. Fawcett: approve
- d. Jenkins: approve
- e. Johnson: abstain
- f. Pescatore: approve
- g. Richardson: abstain
- h. Rivera-Berrios: approved

- iii. Vote to approve minutes for Case Review Sub-Committee Meeting held March 23, 2023.

Rivera-Berrios motioned to approve: Member Jenkins seconded.

- a. Carter: approve
- b. Counsel: abstain
- c. Fawcett: approve
- d. Jenkins: approve
- e. Johnson: abstain
- f. Pescatore: approve
- g. Richardson: abstain



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h. Rivera-Berrios: approved

iv. Vote to approve minutes for February 23, 2023.

Moved to approved minutes by Chair Rivera Berrios: Jenkins seconded

- a. Carter: approve
- b. Counsel: abstain
- c. Fawcett: approve
- d. Jenkins: approve
- e. Johnson: abstain
- f. Pescatore: approve
- g. Richardson: abstain
- h. Rivera-Berrios: approved

## 7. Public Comment (speakers limited to 3 minutes each) (8:00)

Sandra: There seems to be a difficult process to get on the CRB, please explain the process.

Administrator Heimer reiterated the process, which is determined by the City of New Haven - one must have support from their Community Management Team (CMT) and then submit an application along with a resume and letter of interest to the Mayor's office. If the Mayor approves, their names are sent to the Board of Alders. The Aldermanic Affairs Subcommittee interviews the candidate and then votes the person out to the full Board of Alders for approval. The person's name is presented to the BoA at a first meeting and then voted on at a second meeting. The entire process can be lengthy. Persons who submit their names in April to the Mayor's office can reasonably expect to be voted on by the Alders in June at the earliest.

Norm: when will the minutes from the meeting be posted online? I don't see any minutes online.





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Acting Chair - we have voted on minutes tonight which will appear on the website once the City's webmaster is sent the final approved version. Other minutes may be missing, which is why an RFP went out to handle the backlog of minutes the CRB presently has for 20 or so meetings between 2021 and 2023. Administrator Heimer will be completing those moving back in time from the most recent meetings and has already completed 2023 in its entirety. January 2023 will be voted on at the May meeting, as well as minutes from this evening.

#### 8. Old Business - Discussion of Board Organization and Membership concerns

- a. Discussion on Bylaws and ideas to ensure functionality even without a fully seated board.

Rivera-Barrios: AI wants any updates from the board on ordinance changed to change quorum to 50% present in order to vote, not 7 members.

- b. Workshopping ideas for improvement of the Board's operations.  
Please submit any ideas to Administrator Heimer for the next month's meeting.

- c. Discussion on Executive Board elections

Member Fawcett motioned to table these items until the May Meeting. Johnson seconded.

- a. Carter: approve
- b. Counsel: approve
- c. Fawcett: approve
- d. Jenkins: approve
- e. Johnson: approve
- f. Pescatore: approve
- g. Richardson: approve
- h. Rivera-Berrios: approve

#### 9. Executive Session

- a. None needed



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#### 10. New Business

- a. Finance Department to submit a full report to the CRB of their accounts.
- b. Acting on complaints:
  - I. Rivera-Berrios Motioned to investigate 22C-070, Member Richardson  
Seconded.

1. Carter: approve
2. Counsel: approve
3. Fawcett: approve
4. Jenkins: approve
5. Johnson: approve
6. Pescatore: approve
7. Richardson: approve
8. Rivera-Berrios: approve

Subcommittee members: Rivera-Berrios (chair), Counsel, Jenkins, Johnson, Richardson.

#### 11. Attendance at close of meeting

- a. Present: Acting Chair Rivera-Berrios, Members Carter, Counsel, Fawcett, Jenkins, Johnson, Pescatore, Richardson.
- b. Absent: none

12. Motion to adjourn made by Acting Chair Rivera-Berrios. Pescatore seconded.  
Meeting adjourned at 8:23pm

Minutes prepared by: Alyson Heimer, CRB Administrator