

MINUTES OF THE CIVILIAN REVIEW BOARD MEETING

July 25, 2022

• **Roll Call.**

The meeting was called to order by Acting Chair Rivera Berrios at 6:09 PM. Members in attendance were: Rivera-Berrios, Avshalom-Smith, Carter, Counsel, Crouse, Fawcett, Hamm, Jenkins, Peralta, Peralta, Pescatore, Richardson.

Members Absent: none.

• **Approval of Minutes.**

On motion by Member Hamm seconded by Member Rivera-Berrios the minutes were approved.

• **Internal Affairs report.**

Assistant Chief Zannelli introduced Assistant Chief Etienne and Sgt. Fennessy and explained that Sgt. Fennessy would now be presenting. Sgt. Fennessy gave an overview of the cases 21C-006, 21C-090, 21C-033, 22C-0034. Sgt. Fennessy responded to members Hamm, Pescatore, Jenkins, Avshalom Smith and Richardson concerns about general orders, police procedures and practices, and the detail in the reports. Sgt. Fennessy explained in response to questions about that medical personnel only intervene once scenes are secure in response to questions about case 21c-006. Member Avshalom Smith noted that he was trained that way when he was a emergency medical technician.

Member Hamm inquired about the increased discipline in the last two years.

Assistant Chief Zannelli explained that the new leadership team prioritizes accountability and the timing is related to the investigations of some of the more serious cases of the prior years are just concluding. He noted that there would be a termination hearing this week and that there would be more hearings between now and Christmas.

• **Public Comment**

There was no public comment.

• **Presentation on Hartford Citizen Police Review Board - <https://bit.ly/3dMQShV>**

Attorney Beth Merkins introduced herself explaining that she was a public defender for 33 years before retiring and she served as the first Inspector General for the Hartford Citizen Police Review Board for one year.

She then gave an overview on the general structure of the Hartford Model. She noted that it's cutting edge and there is nothing similar in Connecticut and very rare in other states. She noted that Hartford has had this since 1992 but amended it to give it more power in 2021 in the wake of the George Floyd incident. She noted the main three advances were: 1) a full time paid Inspector

General in charge of investigations and investigators; 2) full access to all information related to each case through evidence.com; and 3) a binding arbitration process on the Chief of Police can be requested when Internal Affairs and the CPRB come to a different finding about a case after the double blind investigation takes place. Report must be completed in 45 days and heard by Board within 90 days. The Board then makes decision. The arbitration has not been used yet nor has subpoena power been used. Attorney Merkin stated that her work around was to participate in IA interview. In Hartford they do get the tapes of the interviews. She noted her successor Liam Brennan was negotiating with the Police Union on this issue and a memorandum of understanding on officer's testifying.

Deputy Corporation Counsel LaMarr noted that the New Haven Model also allows for staff and has access to all information but does not have ability to request an arbitration. She noted that Hartford requires the hiring of Inspector General and New Haven does not.

Managing Consultant Emma Jones noted that the power to hire and investigator and subpoena power are part of the New Haven model making it one of the most powerful in the country.

Member Avshalom Smith noted that the a full time Inspector General, the arbitration portion, the subpoena power issue should all be brought to the Board of Alders for consideration.

Acting Chair, AnneMarie Berrios thanked Attorney Merkins and noted this could be revisited at a future meeting if there are any other questions or concerns after absorbing all the information presented tonight.

Member Hamm noted New Haven's model allows for review of complaints about disrespect while Hartford's does not so if Hartford's Ordinance is adopted in New Haven it should keep that.

Attorney Merkin said they are working on changing that in Hartford.

Member Richardson inquired about lack of subcommittees in Hartford and if that is has been efficient. Member Crouse asked if the Inspector General Model leads to a lack of engagement from members.

Attorney Merkins explained the Attorney Brennan is working on building out that structure now and that the members are engaged.

Managing Consultant Emma Jones suggested more meetings of the Board as a whole. She suggest hiring an full time investigator would be great. she noted that the Hartford CPRB was light years behind New Haven with its changes when New Haven's went into effect.

Review Subcommittee Reports.

The Review Subcommittee reported on their review of several cases-

Subcommittee reports

a. 22C-010- No report.

b. 21C-061- Member Hamm noted committee met and has report and recommendation including added unpaid administrative leave for serious allegations of misconduct which the Chief of Police is trying to get in the next contract. The recommendation and report can be found here <https://bit.ly/3R4ANCB>.

Members voting is Favor: Avshalom-Smith, Carter, Counsel, Crouse, Hamm, Peralta, Richardson, Rivera-Berrios.

Members voting against: Fawcett, Jenkins.

Members abstaining: Pescatore.

Members absent: Johnson.

c. 21C-084- Member Crouse reported on this case and noted they will meet again after meeting the complainant and that Member Pescatore will draft report and recommendation.

d. 22C-022- Member Fawcett noted that committee met and agreed with IA findings with two recommendations- 1) Officers should have list of places to go to notify next of kin. Other recommendation is that the list supervisors who were on duty be also be forwarded in addition with complaints . <https://bit.ly/3pxFdWL>.

Members voting is Favor: Avshalom-Smith, Carter, Counsel, Crouse, Fawcett, Jenkins Pescatore, Richardson, Rivera-Berrios.

Members voting against: Hamm.

Members absent: Johnson

e. Professional Services Subcommittee - The committee attempted to meet on July 24, 2022 but had technical difficulties getting into the remote meeting so agreed to reschedule

• **Unfinished Business**

Acting Chair Rivera-Berrios updated the Board on her discussions with Attorney LaMarr on the consultant contract. She also updated the Board on getting recommendation to Police Chief Jacobson.

Attorney LaMarr said she was trying to facilitate and not dictate so she noted that she had a draft proposal with a recommendation which was just a draft and for a short term agreement in preparation for a longer term agreement. <https://bit.ly/3CiNK7t> to have the Managing Consultant to do the high level tasks for the Board. In response to questions she also provided 3 different job descriptions for other tasks referenced <https://bit.ly/3QFXGwp>

Acting Chair Rivera-Berrios moved to postpone discussion to next meeting. It was unanimously

agreed to approve that motion.

She moved that the Chief be invited to the next meeting to discuss recommendations that have been forwarded to him. . It was unanimously agreed to approve that motion.

- **New business –**

Member Crouse inquired about process for replacement of members who terms expired.

Attorney Lamarr agreed to follow up as did Acting Chair, Rivera-Berrios.

Member Pescatore suggested that the Board continue to refer to officers by rank and last name.

Member Avshalom-Smith agree and encouraged everyone to be respectful and not speak over other members.

- **Discussion and consideration of complaints and reports.** – None.]]

- **Act on complaints and reports.**

Member Hamm moved to create subcommittee to look further into case 21C-006

Members voting in favor: Avshalom-Smith, Carter, Counsel, Crouse, Fawcett, Hamm, Jenkins, Peralta, Peralta, Pescatore, Richardson.

Members Voting against: Jenkins, Rivera-Berrios

Members Absent- Johnson

The committee members will be : Pescatore (Chair) Carter and Richardson and others assigned by the acting chair.

Members voting in favor: Carter, Counsel, Crouse, Fawcett, Hamm, Pescatore, Richardson.

Members Voting against: Jenkins, Peralta, Rivera-Berrios

Members Absent- Johnson

Members voting in favor: Carter, Counsel, Crouse, Fawcett, Hamm, Pescatore, Richardson.

Members Voting against: Jenkins, Peralta, Rivera-Berrios

Members Absent- Johnson, Avshalom-Smith

The committee will be members :Hamm, (Chair), Carter and Richardson and others to be assigned by the Acting Chair.

- **Public Comment**

There was no public comment

Adjournment

There was no further comment and on motion by Member Pescatore seconded by Member Carter

the committee voted unanimously to adjourn.

The meeting adjourned at 9:50 PM

Respectfully submitted,

Emma Jones