

REGULAR SESSION MINUTES
APRIL 9, 2024
BOARD OF POLICE COMMISSIONERS
NEW HAVEN, CONNECTICUT
VIDEOCONFERENCE AND CONFERENCE CALL VIA ZOOM

PRESENT: Commissioners Darrell Brooks (joined - 6:03 p.m.); Michael Lawlor (joined - 6:30 p.m.); Tracey Meares; Isais Miranda; Evelise Ribeiro (in person); and Donald Walker

Chief Karl Jacobson: Department of Police Service
Assistant Chief Manmeet Bhagtana: Department of Police Service
Sergeant Yelena Borisova: Department of Police Service
Sergeant Chris Fennessy: Department of Police Service
Sergeant Paul Finch: Department of Police Service
Officer D. Cohen: Department of Police Service
Officer Reginald McGlotten: Department of Police Service
Asia Johnson-Clark: Administrative Assistant

Florencio Cotto: President of Elm City Local
Floyd Dugas, Esquire
Michelle Duprey, Esquire: Deputy Corporation Counsel

Gerald Antunes: Alder
Tremaine Barr
Mellesia Barrett
Jason Criscio
Ivan Fidalgo
Daniel Hunt
Jason Koenig
Jacqueline Laracuente
Miguel Pittman, Sr.
Sam Shultz

OPEN SESSION

The Regular Session Meeting of the Board of Police Commissioners was called to order at 6:02 p.m., Evelise Ribeiro, Chair, presiding.

AGENDA

■ Commissioner Ribiero indicated that the Agenda should be amended to add under Executive Session - pending legal matters.

** Commissioner Miranda moved to add pending legal matters under Executive Session
** Commissioner Walker seconded

- ** Motion passed unanimously
- ** Commissioner Walker motioned to approve the amended Agenda as previously stated for April 9, 2024
- ** Commissioner Miranda seconded
- ** Motion passed unanimously

■ Commissioner Ribeiro indicated that Commissioners Meares, Walker, Miranda were also present. Commissioners Brooks and Lawlor would join a little later.

DISCUSSION AND APPROVAL OF MINUTES

Discussion and Approval of the Regular Meeting Minutes of March 12, 2024
 Discussion and Approval of the Special Meeting Minutes of March 26, 2024

- ** Commissioner Walker motioned to Approve the Regular Meeting Minutes of March 12, 2024
- ** Commissioner Brooks seconded
- ** Motion passed unanimously

- ** Commissioner Walker motioned to Approve the Special Meeting Minutes of March 26, 2024
- ** Commissioner Brooks seconded
- ** Motion passed unanimously

CHIEF’S REPORT

Chief Karl Jacobson

- Chief Jacobson greeted everyone. He was apologetic for being late as he had been at a Project Longevity call-in with 30 people returning to the city. During this call-in, services were offered and the Department addressed the issues of gun violence in the city. It was a successful and well-attended event by community members and social services providers.
- An officer on ATV detail was run over by an ATV. The officer sustained a serious leg injury. He underwent surgery on April 8, 2024. The officer returned home on April 9, 2024. They appreciate the support from everyone. The Department is making headway with the investigation.
- The written portion of the Sergeant’s Test had been completed. The oral assessment is scheduled for April 16, 2024. There are 47 people taking the test which is good number. The hope is to get potential sergeants before the Commission for interviews and move to forward with promotions.
- Chief Jacobson stated that he had spoken recently about the Mental Health and Wellness Unit starting first supervisors as there is a shortage of officers. This is to help officers’ mental health and wellness as well as connection to the community’s mental health and wellness through CIT training and also a connection to Compass. The supervisor will look at reports and follow-up with officers to ensure everyone is reporting the different incidents to Compass. All of this is to ensure that officers get the help they need such as debriefs after serious incidents, etc.

■ Unfortunately, officers see a lot of serious incidents and trauma themselves. This officer will set up debrief groups and work with the Department's comfort dogs, peer-support teams and the other things the Department already have in place. The goal is to coordinate those efforts for the best health of the officers and also coordinate efforts with Compass and other city factions for the mental health of the community. The hope is to get it started soon.

■ There were discussions about a mailbox for IA for complaints. He and Commissioner Ribeiro had discussed at some point making that available at City Hall.

■ The intend to add more members to the Internal Affairs Unit. When this is done, there would be scheduled hours at City Hall where the public can feel comfortable in lodging complaints instead of at the Department. The Department would install a mailbox at City Hall as well.

■ There would also be a push to inform the public that complaints could be made online. The complainant does not even have to provide a name. All complaints will be investigated.

■ The Department is in talks with the University of New Haven about a program that involves paid internship.

■ The New Haven Promise gives people who might not have an opportunity to attend college the funding to attend college. It was brought to the Department's attention that there were some funding gaps. So the Department is engaged in talks with the University of New Haven to pay interns or paid positions to close that gap for the New Haven Promise. Some of the students there are already engaged in programs like Criminal Justice and Fire Science. The goal is to use this as a recruiting tool and getting some of these New Haven Promise students to later become firefighters and police officers.

■ Commissioner Meares indicated she would like to hear Chief Jacobson's sense of the law enforcement reaction, including ours but not just ours, to the protest that the students had at Union Station and what kind of feedback the Department was getting particularly since there are jurisdictional issues. As she understood it, the New Haven Police Department only responded outside of the station, and all of the response inside the station were not New Haven officers. Of course, this is not something that the students were aware of.

■ Chief Jacobson indicated that the protest began downtown. The Department blocked off roads. The protesters were allowed to come down One Union and then moved to Union Station. It was kind of passed off to inside the Union Station where MTA, Amtrak and the state police took control of that.

■ At some point the other law enforcement agencies made a decision to issue summons, arrest to kind of push everybody out of the station. The protesters then came back outside.

■ The Department has been working with the station. They have had some issues with homelessness. The Department has tried to encourage law enforcement at the station to embrace the way this Department deals with homelessness in the city. They were also working with them to deal with protesters the way the New Haven Police Department deals with protesters in the city. There is a scheduled meeting with them the following week to share ideas.

■ Commissioner Meares indicated she would share some of the feedback she had received. People understood that what happened outside the station and on the Green was very favorably received. What was happening inside the station was only not well received, but was clearly inconsistent with many of the New Haven Police Department's policies. Unfortunately, the New Haven Police Department is getting a bad rap, number one.

■ Number two, just for those who reside in the city, the goal is to have appropriate law enforcement engage with the public, legitimate, trustworthy and so on, to the extent the

Department can make it. It's not the New Haven Police Department's jurisdiction. The reality is the ordinary members of the public do not understand that there is MTA police, Connecticut State Police and there is the New Haven Police Department. The New Haven Police Department would bear the brunt of any bad stuff that the other law enforcement agencies are doing.

- Commissioner Walker asked if the Captain's and Lieutenant's Tests would follow shortly

- Chief Jacobson responded by saying that the Captain's test was in the works to follow right after the Sergeant's Test. Due to the low number of officers eligible to take the test, the Lieutenant's Test would follow in the late fall to early winter. This is a young department. The order of tests, he thought, would be Captain's Test, Detective's Test and then Lieutenant's Test. This also depends on how many detectives become sergeants.

- Commissioner Walker asked if the contract negotiations were getting anywhere.

- Chief Jacobson responded by saying he could not speak much about it. He felt they were getting closer. Both sides were taking the appropriate steps to get to the finish line.

- The Department is on the verge of serious retirements in June. In addition, six or eight officers are on the verge of separating from the Department to go to other agencies. These officers could be swayed if the contract is done. The hope is to get negotiations completed before the June deadlines

INTERNAL AFFAIRS REPORT

Sergeant Fennessy

- Assistant Chief Bhagtana indicated Sergeant Fennessy would report in Lieutenant's Agosto's stead.

- Sergeant Fennessy indicated there were four closed cases.

- In addition, there have been six closures since the last Board meeting.

IA Case No. 23C-022: This was received on April 11, 2023. It occurred in District 8. It was closed on March 5th, 2024. The disposition was exonerated. This involved the Department conducting an online child pornography investigation which led detectives to a suspect with a corroborated address of 590 East Street, Apartment 2. This is a multi-family dwelling. There were two mailboxes, one with #1 and the other with #2. The detectives obtained a search warrant for 590 East Street, Apartment #2 and executed it on the top floor apartment which they believed to be #2 initially. However, the top floor wound up being Unit #1. The officers gained entry into the apartment. The occupant was briefly detained and handcuffed. As they began to advance through the apartment, it was immediately realized that this was the wrong location. The complainant was then released from handcuffs. The officers explained why they were there. The complainant was kind enough to point them to the correct target location. She further stated that this problem of misidentifying the apartments occurred frequently with package and mail deliveries due to the confusing layout. Officers spoke to her and were apologetic. She stated that she understood. Looking through the reports and body-worn camera footages, it revealed that the information regarding the apartment was corroborated. There were even attempts to make a personal confirmation but no one answered the doors. A search warrant was signed and the apartment on the search warranted was the apartment that was entered. The alleged act did occur but the officers engaged in no misconduct because the

act was lawful, justified and proper. Although, an incorrect apartment was entered by the detectives, it was reasonably believed that that was the correct door to be entered.

■ Commissioner Walker asked if there would be legal ramifications due to the entry of the wrong apartment.

■ Chief Jacobson responded by saying that there was a pending lawsuit. He could not say much about it. They are working with the complainant to cover the costs of the door and some other things. Corporation Counsel was working with her.

■ Commissioner Meares asked if the door was knocked down.

■ Chief Jacobson indicated that the door was indeed breached.

■ Commissioner Meares asked if there was a knock on the door first.

■ Chief Jacobson stated that the officers knocked on the door and after a reasonable period of time, the door was breached. The body-worn camera footage was released originally.

■ Commissioner Brooks asked if the lawsuit was filed by the tenant/complainant or the landlord.

■ Chief Jacobson indicated it was filed by the tenant. It is not a million-dollar lawsuit.

■ Commissioner Brooks indicated that thankfully it happened where it happened, unfortunately. However, if this happened at another apartment where it's not congenial, it could have gone wrong very quickly. He asked how this could be prevented from ever happening again.

■ Chief Jacobson replied by saying that they are looking to put in the General Orders something, specifically in a case like this where it is computer crime, that other measures be taken. It would have been better to wait for the target to step outside the building.

■ Commissioner Meares indicated that the Department's warrant policy had recently been changed. She asked what warrant policy was this particular incident evaluated under. The Department has now very specific new policies regarding precisely this issue.

■ Sergeant Fennessy indicated that this incident occurred before the new warrant policy was adopted.

■ Assistant Chief Bhagtana indicated that since then not only have they implemented the new warrant policy, but they were also working to put together the search and seizure warrant policy with Commissioner Meares' help. As a result of this incident and in order to prevent future incidents such as this, this is what the Department has decided to do.

■ Commissioner Ribeiro asked if the warrant was written for the wrong door.

■ Chief Jacobson indicated that the warrant was written for the correct door. However, the person sought did not live at that address.

■ Commissioner Walker asked that since this was a computer crime and to obviate the loss of information, whether the Department could possibly disconnect the alleged perpetrator from the network before officers go in.

■ Chief Jacobson indicated that they do not as the Department does not have that type of technology. If they want to do this, they could enlist the assistance of the FBI.

IA Case No. 24C-008: The compliant was received on January 6, 2024. The complainant is a landlord here in the city, 85 Carmel Street. Her complaint was she believed officers did not spend enough time to fully understand a landlord/tenant dispute. Sergeant Fennessy offered the complainant an opportunity to come in and view the body-worn camera footage in its entirety which she did. The footage was viewed and discussed for about two hours. At the end, after seeing the totality of it, she actually complimented the officer and said she could tell that he

cared and that he went the extra mile. She was more upset because her job was contacted. Sergeant Fennessy explained that the officer was exhausting all avenues to get in touch with her due to the fact that this happened in the winter. It was incredibly cold outside. The officer utilized Compass to keep the tenants warm while the investigation was ongoing. This was an exonerated case as well.

IA Case No. 24C-020: This was received February 27, 2024. New Haven police officers were dispatched to Forbes Avenue on the 15th of March, 2023 for a disorderly conduct complaint. The complainant stated that he was threatened by an employee of his and wanted to press charges. Officers responded to the home and spoke with him. He admitted being in an argument with his employer but stated he never threatened him. He was ultimately issued a misdemeanor summons for breach of peace. His complaint is that he believed he was wrongfully arrested and that the Department and his employer were somehow in cahoots together and were acting together in order to get him arrested. After a thorough review and investigation and review of the body-worn camera footages, it was determined there was no misconduct or malfeasance. This was ultimately closed with the disposition of unfounded.

IA Case No. 24C-026: This complaint had to do with New Haven police detectives responding to 910 Chapel Street which is Chipotle, and a possible domestic dispute. While the officers were conducting an investigation to determine what was occurring, one of the females involved attempted to leave the premises. Officer Arnone stopped her from leaving by grabbing her arm and explained to her that she needed to wait until the investigation was completed. The female was not happy with the fact that the officer touched her. Once the investigation was concluded, the female was allowed to leave. Officers were unable to identify the female complainant as being involved in a crime. The officer was exonerated.

PERSONNEL MATTERS

1. Discussion and action on the recommendation of Chief Karl Jacobson to remove the following candidates from Police Eligibility List 22-68CR dated February 12, 2024:

- A. #1 Randy Mendez
- B. #19 Mellesia Barrett
- C. #21 Tremaine Barr
- D. #26 Ivan Fidalgo
- E. #31 Jason Criscio
- F. #33 Jacqueline Laracuenta

- Commissioner Ribeiro asked if all the candidates were present
- Sergeant Finch indicated they were all present.
- Commissioner Ribeiro went on to explain what having the opportunity to be heard in a closed session and an open session meant.
- Commissioner Ribeiro asked each candidate in what forum he or she would like to be heard. All opted to be heard in closed session except for Mr. Criscio and Ms. Laracuenta who opted to be heard in open session.

■ Commissioner Ribeiro indicated that Mr. Criscio and Ms. Laracuenta would be heard first in open session before going into executive session for the other candidates.

■ Mr. Criscio addressed the Commission and acknowledge the errors he made in his youth. He recognized that these mistakes have brought into question his integrity. The issue is the use of performance-enhancing drugs in high school which was extremely immature at the time. He has grown and matured since then. The use arose out of being an athlete in high school and recruitment for collegiate sports. This behavior was deceiving, unethical and inappropriate. At that age, it was difficult to comprehend the ramifications of this use later on in life. The older and wiser version of him has many qualities that would make him an exemplary officer for the City of New Haven. Many years have passed since his use of performance-enhancing drugs. He vowed never to take these drugs again.

■ Commissioner Walker indicated he understood how difficult it is to be a Division 1 athlete. He asked, what would have happened if Mr. Criscio became a Division 1 athlete, would he have continued with the performance-enhancing drugs?

■ Mr. Criscio responded by saying that he ended up playing for the University of Rhode Island. He did not take the drugs anymore. He realized it was stupid and stopped in senior year in high school.

■ Chief Jacobson indicated this candidate was put up due to some of the violations. However, they do see some positive qualities about him.

■ Sergeant Finch said he could speak to the fact that Mr. Criscio had taken ownership of his actions. He's 27 years old now. This was something he did when he was 18 years old. He had seen growth and maturity. Like he said, it was not the smartest decision and not knowing where life would take him. He never would have thought this would land him before this Commission. ‘

■ Sergeant Borisova, his background investigator, added that Mr. Criscio was before this Commission due to the drug violation. All the people he had spoken to about him, past and present employers, have nothing but good things to say about him. His character references, his mentors and former and present girl-friends, all have nothing but good things to say about him. He has no criminal history and has never been arrested, good employment history. He passed his polygraph and psychological. She thought he would be an asset to the Department.

■ Commissioner Meares said Mr. Criscio completed his polygraph and psychological tests. Sergeant Borisova concurred with Commissioner Meares and said that he successfully completed his polygraph and psychological evaluations.

■ Commissioner Ribeiro asked if there was anything pending.

■ Sergeant Borisova indicated that all that was left for him to do was the agility test the following day.

■ Commissioner Ribeiro asked if the medical drug test was good.

■ Sergeant Finch indicated that the medical just came through and it was good.

■ Ms. Laracuenta acknowledged her past actions due to lack of maturity and foresight may cast a shadow of doubt on her character. In 2005 she had just graduated college and was meeting new people and having fun. She tried ecstasy for the first time while visiting a friend in Florida. When she returned to New York, the crowd she was with at the time would party every weekend and she was with them. Drug was always circulating within the crowd. It then became part of weekend routine for a few months whenever they would all hang out. She did not like how she felt and the person she was becoming. The journey from then to now has been

one of profound transformations guided by mentors who instilled in her the values of respect, integrity and a pursuit of a purposeful life. She has two sons and a husband. She went on to speak about her employment.

■ Commissioner Meares indicated she would like to hear from staff.

■ Chief Jacobson indicated that it was another violation that has to be put up. The major issue was ecstasy use some 15 years ago.

■ Sergeant Finch indicated once again this is somebody who made a poor decision but she's taken responsibility for it. You can see her growth. The age when she did drugs and where she is now, tremendous growth and maturity. She has some very strong work history that goes along with that. That will be an asset at the Department.

■ Officer McGlotten indicated he didn't have too much to add to that. If it was not for the drug violation, she would not appear before the Board right now. There is nothing else in her background that would stop her from being a police officer.

■ Commissioner Ribeiro asked if anything was pending.

■ Officer McGlotten said it was just the agility.

■ Sergeant Finch indicated that the medical came back good.

■ Commissioner Walker asked both candidates why they want to be police officers in New Haven.

■ Mr. Criscio said he had been in New Haven his whole life. He wants to build a trusting relationship between police officers and the community. Social media does not really portray good relationship between police officers and the community. He hoped to change that for the better.

■ Ms. Laracuate said she was fairly new to the area. She had lived in Yonkers her whole life. She relocated to West Haven three years ago. She started working in New Haven last year. This is when she began the process of wanting to be a police officer. She wants to be able to build a life here for her sons and give them something to look up to not just a mother but as a police officer. She wants to live in New Haven and get to know it more than she already does.

EXECUTIVE SESSION

N

** Commissioner Walker motioned to go into Executive Session to discuss with #12 Mr. Mendez, #19 Ms. Barrett, #21 Mr. Barr and #26 Mr. Fidalgo

** Commissioner Meares seconded

** Motion passed unanimously

Executive Session began at 6:51 p.m.

** Commissioner Meares motioned to come out Executive Session to discuss personnel matters

** Commissioner Walker seconded

** Motion passed unanimously

Executive Session ended at 8:05 p.m.

** Commissioner Walker motioned to adhere to Chief Jacobson's recommendation to

- remove Candidate Randy Mendez from the Police Eligibility List 22-68CR
- ** Commissioner Miranda seconded
- ** The motion passed unanimously

- ** Commissioner Walker motioned to adhere to Chief Jacobson’s recommendation to remove Candidate Mellesia Barrett from the Police Eligibility List 22-68CR
- ** Commissioner Brooks seconded
- ** The motion passed unanimously

- ** Commissioner Walker motioned to adhere to Chief Jacobson’s recommendation to remove Candidate Tremaine Barr from the Police Eligibility List 22-68CR
- ** Commissioner Brooks seconded
- ** The motion failed unanimously

- ** Commissioner Walker motioned to adhere to Chief Jacobson’s recommendation to remove Candidate Ivan Fidalgo from the Police Eligibility List 22-68CR
- ** Commissioner Miranda seconded
- ** For: Commissioners Miranda, Brooks, Meares, Lawlor and Ribiero
- ** Against: Commissioner Walker
- ** The motion passed

- ** Commissioner Walker motioned to adhere to Chief Jacobson’s recommendation to remove Candidate Jason Criscio from the Police Eligibility List 22-68CR
- ** Commissioner Miranda seconded
- ** The motion failed unanimously

- ** Commissioner Walker motioned to adhere to Chief Jacobson’s recommendation to remove Candidate Jacqueline Laracuente from the Police Eligibility List 22-68CR
- ** Commissioner Miranda seconded
- ** The motion failed unanimously

■ Commissioner Ribeiro indicated that the following candidates had been removed from the list: #12 Randy Mendez, #19 Mellesia Barrett and #26 Ivan Fidalgo.

■ Commissioner Ribeiro indicated that the following would proceed in the process: #21 Tremain Barr, #31 Jason Criscio and #33 Jacqueline Laracuente.

RETIREMENTS (For Board information only)

There were none.

RESIGNATIONS (For Board information only)

There were none.

RECRUITMENT/SELECTION COMMITTEE REPORT

Sergeant Paul Finch

- Sergeant Finch indicated that the next round of written exams had been scheduled for April 25, 2024. The oral examination has been scheduled for May 6, 2025. They have been spreading the word.
- He indicated that Commissioner Ribeiro would be happy to learn that they had been in touch with the Department of Labor. There is a scheduled event with them on April 18, 2024. This event will be in Hamden.
- It is great news because they do all the advertisement. They do all the work for us. They said it is paid through our tax dollars. He thanked Commissioner Ribero for pushing him on that.
- Last week they were at the College and Career event with all the high schools in the city. Today he was at Gateway. They will be at the University of New Haven the following week. They are busy on the recruitment trail.

EFFICIENCY COMMITTEE REPORT

Consideration and vote on proposed General Order 6.01 Use of Force

- Assistant Chief Bhagtana indicated that one of the definitions they had for their Use of Force policy is “active resistance” where tensing/bracing would no long be considered active resistance. This is the only change that had been made. They are seeking approval of this General Order so the Department could be in compliance.
- Commissioner Ribiero indicated that this was vetted through the committee.

- ** Commissioner Meares moved to support Chief Jacobson’s recommendation to approve the Use of Force policy as amended to deal with the active resistance definition.
- ** Commissioner Walker seconded
- ** The motion passed unanimously

FINANCE COMMITTEE REPORT

- Commissioner Ribeiro indicated that all received the financial reports

OTHER BUSINESS

There was none.

PUBLIC COMMENT

There was none

EXECUTIVE SESSION

Discussion of pending legal matters.

- ** Commissioner Walker motioned to go into Executive Session to discuss pending legal matters
- ** Commissioner Meares seconded
- ** Motion passed unanimously

Executive Session began at 8:18 p.m.

- ** Commissioner Brooks motioned to come out Executive Session and there were no votes taken during this session
- ** Commissioner Meares seconded
- ** Motion passed unanimously

Executive Session ended at 8:49 p.m.

■ Commissioner Walker commended the chief and his staff and all the members of the Department who attended the annual firefighters event on Saturday. It was well organized. It raised a lot of money. It was a good positive display for both the fire and the police departments.

ADJOURNEMENT

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

The next regular meeting will be on May 14, 2024.
The Board adjourned at 8:51 p.m.

Respectfully submitted,

Sotonye Otunba-Payne

Sotonye Otunba-Payne