



NEW HAVEN CIVILIAN REVIEW BOARD

2023 ANNUAL REPORT

NHCRB

New Haven Civilian Review Board

To file a *COMPLAINT* about a New Haven police officer,
or to *COMMEND* an officer for good
policing, please either:

Scan this QR code to download a civilian complaint form:



Visit the NHPD Internal Affairs page at the City of New Haven website to
submit a form online: [Complaint Form - English](#)
[Complaint Form - Spanish](#)

Call the NHPD Internal Affairs Unit at: 203-946-6249

Email the NHPD Internal Affairs Unit at: InternalAffairs@newhavenct.gov

Or mail a letter to:
Office of Internal Affairs
New Haven Police Department
1 Union Ave, New Haven, CT 06519

Letter from the Board Chair

Dear Mayor Elicker, President Walker-Myers and members of the New Haven Board of Alders, and fellow New Haven residents,

I am pleased to share the Civilian Review Board's 2023 Annual Report.

Since the CRB was formed in 2019, seated in 2020, and held its inaugural meeting in 2021, we have been building the foundations for a board that independently investigates civilian complaints of alleged police misconduct. Board members meet each month to review civilian complaints and police "use of force" statistics. Some members have served several years, and others only months. By volunteering to serve, these residents ensure that we have a CRB capable of standing up to injustice. I am grateful for everyone who has served and know that our work is strengthened by new volunteers.

In 2023, we saw the fewest number of civilian complaints filed since 2015. The CRB reviewed every closed case and chose to further investigate eight (8) of these through subcommittee review. Several recommendations were sent to the Chief of Police Karl Jacobson, who received them graciously.

With the guidance of Attorney Beth Merkin, the CRB reviewed the city ordinances governing its investigations and proposed changes to the Board of Alders Legislative Committee. If approved, these changes would accomplish four things:

- Strengthen the role of the CRB by clarifying the scope and degree of its authority to independently review and investigate citizen complaints;
- Provide timely access to the investigative materials and documents that the CRB needs to conduct its independent review and investigation of citizen complaints;
- Ensure that the Chief of Police does not make any disciplinary decision in connection with the Internal Affairs' investigation of a citizen complaint without first reviewing and considering the recommendations of the CRB;
- Modify internal CRB structures to strengthen membership and improve organizational efficacy.

The hiring of a freelance professional investigator will be a pivotal move for the CRB in 2024. The investigator will review complaints that need trained skills and knowledge related to police protocol, and can meet with complainants and interview witnesses. The CRB will also begin contacting everyone who files a civilian complaint, engaging residents about their concerns.

We welcome your feedback as we continue our work impacting community policing and public safety, and restoring trust and transparency to our city government.

Sincerely,

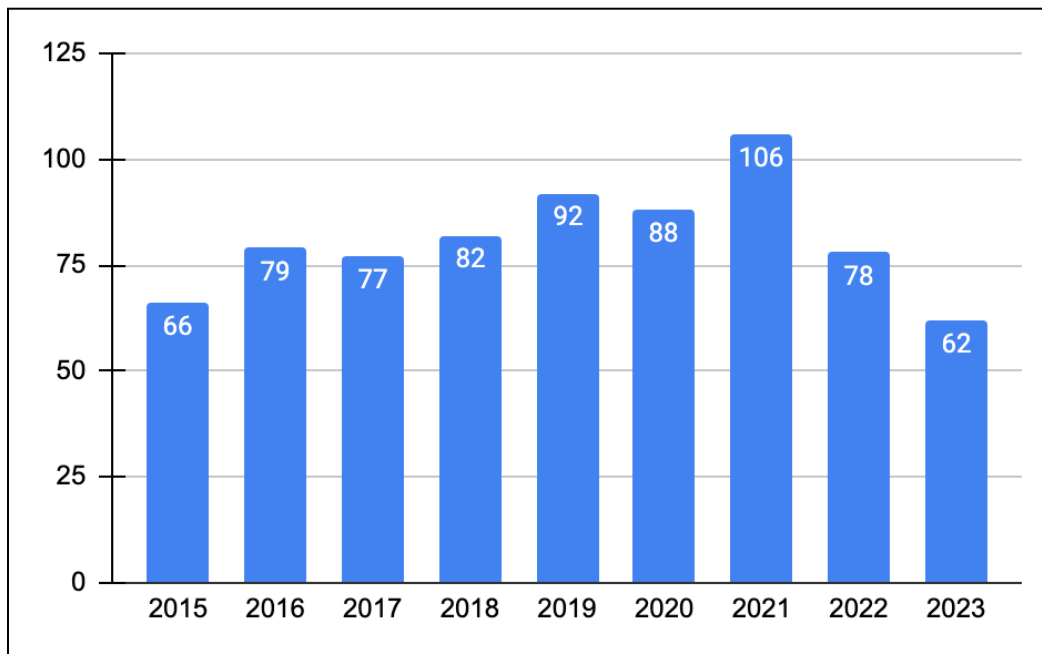
AnneMarie Rivera-Berrios

Chair, New Haven Civilian Review Board

Complaint Data Summary

Civilian complaints for 2023 are down 21% compared to 2022. Data for the following charts is from the Internal Affairs Unit (IA) within the New Haven Police Department (NHPD), and includes both civilian and internal complaints (those initiated by the Chief of Police).

Number of Complaints

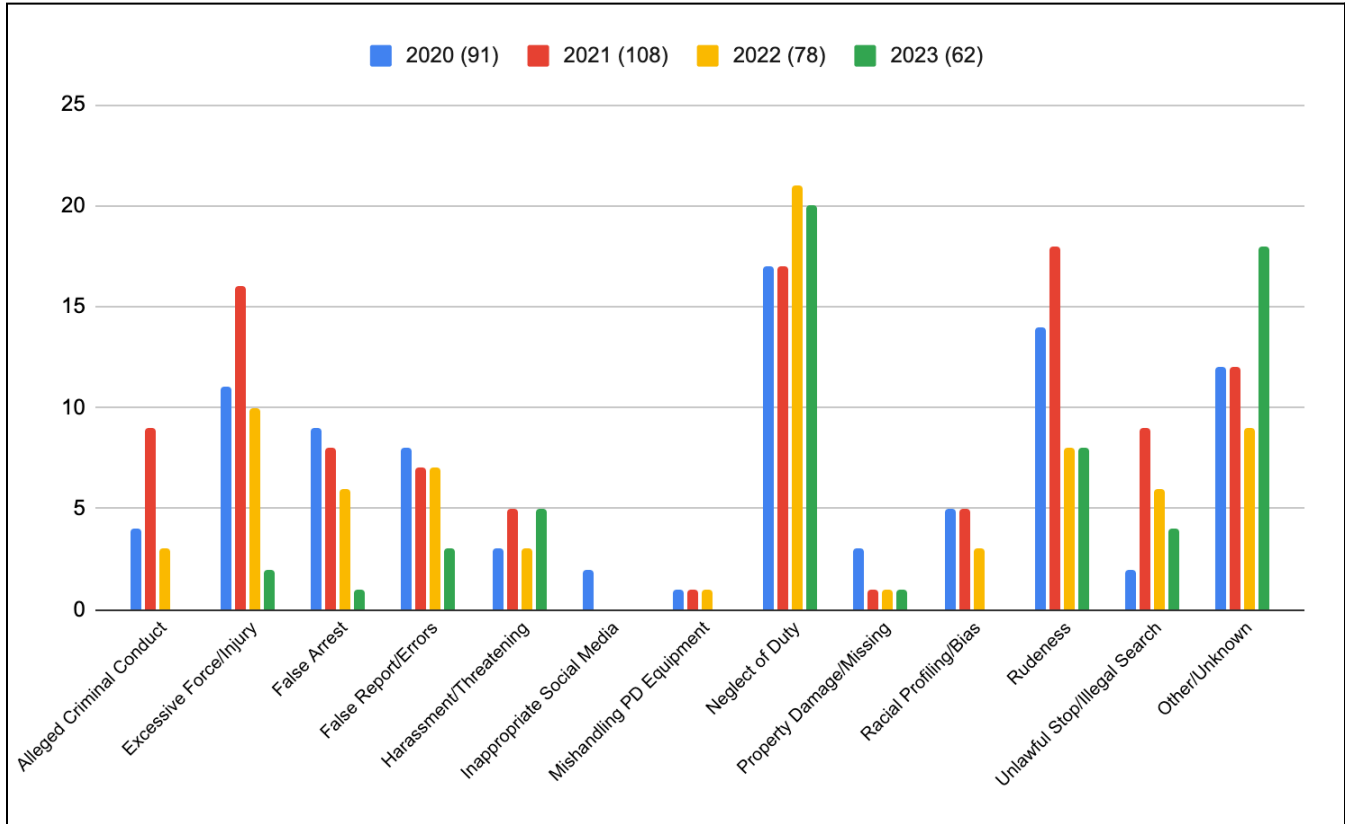


Annual Complaints & Dispositions

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Total Complaints	66	79	77	82	92	88	106	78	62
Open (unresolved)	0	0	0	0	0	0	2	24	39
Unfounded/Exonerated									
Not Sustained	47	53	61	56	67	61	82	36	16
Sustained	9	8	3	14	10	9	12	8	2
Summary Action	8	0	6	5	8	7	6	5	0
Mediated	2	18	4	1	0	0	0	1	0
Withdrawn	0	0	2	5	6	9	4	3	4
Other	0	0	1	1	1	2	0	1	1

See appendix for details of dispositions.

Complaint Type Breakdown



This data is taken from the NHPD’s Yearly IA Report, which can be found, along with the Use of Force breakdown, on the NHPD Internal Affairs Unit page of the City website. A note on complaint types: Some complaints allege more than one type of misconduct, thus, the total number of allegations shown above may exceed the total number of complaints received. In addition, the CRB is tracking this data separately from IA, and it expects to share its own complaint type counts in upcoming reports.

"Other/unknown" includes allegations that are unable to be categorized due to a lack of information submitted in a complaint, or internal complaints that are not shared.

Complaint Status - Open, Closed, Investigation Length

We expect that all of the following numbers will improve in 2024, when staff shortages are filled within both IA and the NHPD at large.

As of year end 2023, sixty-five (65) complaints remain open:

- 2021: 2 (of 106, or 2%)
- 2022: 23 (of 78, or 29%)
- 2023: 39 (of 62, or 63%)

Forty one (41) complaints, filed in 2021-2023, were closed by IA in 2023. On average, 3 to 4 complaints were closed by IA each month. Here is a breakdown of the dispositions:

Unfounded:	29 complaints, 71%
Sustained:	4 complaints, 10%
Exonerated:	3 complaints, 7%
Summary Action:	2 complaints, 5%
Reconciled:	2 complaints, 5%
Not sustained:	1 complaint, 3%
Unknown:	1 complaint, 3%

See appendix for details of dispositions.

The target length to close a civilian complaint investigation is 90 days, with extensions granted by the Chief of Police in 30 day increments. In 2023, seven (7) cases, or 17%, were closed within the 90-day target:

- 7 cases, 17%, closed in less than 90 days
- 13 cases, 32%, closed in 3-6 months
- 10 cases, 24%, closed in 6-12 months
- 10 cases, 24%, closed in 1-2 years
- 1 case, 3%, length to close is unknown

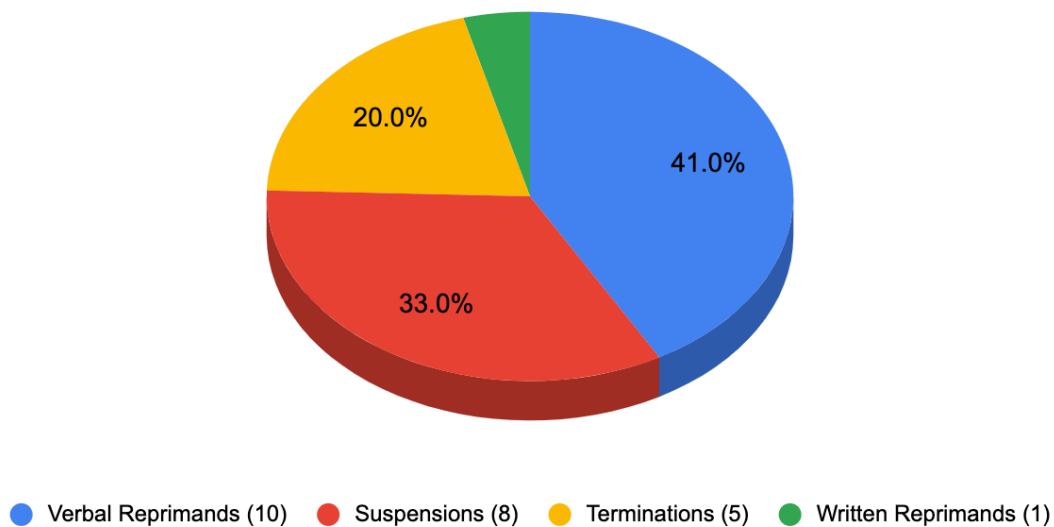
Police Officers Cited in Civilian Complaints

A civilian complaint may involve one or more officers. The number of officers involved, or the identities of the officers, are not always available at the filing stage. Due to these factors, the number of identified officers may be higher or lower than the actual number of complaints filed.

Of the 62 complaints filed in 2023:

- 7 complaints were filed internally, by the Chief of Police
- 45 complaints, filed by a member of the public, identified one or more officers
 - 41 officers had one (1) complaint filed against them by a member of the public
 - 4 officers had two (2) complaints filed against them by a member of the public
 - 1 officer was a Lieutenant
- 17 complaints did not identify any officer by name or badge number
- 22 complaints, filed and closed in 2023, were closed with dispositions of:
 - 2 complaints - Sustained
 - 14 complaints - Unfounded
 - 5 complaints - Exonerated
 - 1 complaint - Reconciled

Disciplinary Actions Taken Against Police Officers in 2023



Above chart shows 24 reported disciplinary actions handed down in 2023, broken down by type. The longest suspension was 15 days. The shortest was a 1 day suspension in abeyance*. Both internal and civilian complaints are included. For comparison, in 2022 there were 33 disciplinary actions handed down, and in 2021 there were 58. This data is taken from the NHPD’s Yearly IA Report, which you can read, along with the Use of Force breakdown, on the NHPD Internal Affairs Unit page of the City website. Note: Five (5) terminations were processed in May 2023; all five (5) were related to the Randy Cox case.

**In abeyance is a suspension of the violation, provided that the officer doesn’t commit another similar violation within a specified period of time.*

Review Committee Summaries

All civilian complaints and their associated IA dispositions are examined by the CRB, but not all demand in-depth review. Complaints (and their IA dispositions) that raise concerns result in “review committees” being formed, with at least four (4) CRB members performing the in-depth review.

In 2023, the CRB created review committees for the following eight (8) cases, which is 20% of the closed cases presented by Internal Affairs. For comparison, in 2022 the CRB created review committees for thirteen (13) cases and in 2021 for nine (9) cases.

The following summaries include an abbreviated version of each complaint, the IA disposition, and the CRB recommendation, if any:

Incident Date: September 14, 2021
Complaint Filed: December 13, 2021
Case Closed: August 28, 2023
Assigned Case #: 21c-103
Review Committee: Carter, Comins, McClure, Pescatore

Complaint: Discrimination based on race and socio-economic status was alleged by complainant, emanating from a parking complaint between tenants
IA Disposition: Unfounded
CRB Action: The review committee determined that there was no bias or favoritism seen in the interaction. The officer did their job fairly.

Recommendation: Police officers who are responding to neighbor vs. neighbor complaints should be made aware of any city resources that become available in the areas of community counseling or social work.

Incident Date: April 24, 2022
Complaint Filed: April 28, 2022
Case Closed: February 6, 2023
Assigned Case #: 22c-037
Review Committee: Counsel, Jenkins, Johnson, Pescatore

Complaint: Upon reporting child abuse and ongoing trauma to the attending police officer, the complainant alleged that the officer was dismissive, rude and skeptical of concerns voiced by the complainant, and treated complainant in a cold manner, lacked compassion, and did not follow up
IA Disposition: Unfounded
CRB Action: Concur with Recommendation:
While the responding officer may have done his best to act with sensitivity towards the complainant, the complainant cannot be faulted for feeling that the officer was dismissive and skeptical of her allegations. Indeed, based on the complainants description of the events that she believed transpired, it's possible that no one could have acted with enough compassion to appropriately assuage her concerns and fears.

That said, the CRB believes that a female officer or female interviewer would have been better positioned to respond in a way that more appropriately addressed the concerns and fears of the complainant.

Was it necessary for the police department to send an officer for an interview? Maybe sending someone, and specifically a woman, from COMPASS could have succeeded just as well with the interview?

The CRB recommends that for any complaints filed by women that deal with abuse or harassment, domestic or other, and especially sexual harassment, or any kind of abuse of children, that female officers are sent as the lead officer. In fact, the CRB believes that this issue is so important, that when considering the smaller number of female officers compared to male officers, that female officers be pulled from active incidents NOT involving women complainants, such that a woman officer can be available to respond to any new, incoming complaints from women.

Incident Date: July 25, 2022
Complaint Filed: July 26, 2022
Case Closed: July 17, 2023
Assigned Case #: 22c-051
Review Committee: Comins, Fawcett, Jenkins, Rivera-Berrios

Complaint: The complainant alleged that after a dispute between them and another person outside of a bar on Chapel Street, a police officer unnecessarily grabbed her hand hard enough to cause significant pain, while the aggressor in the earlier dispute, a caucasian, was permitted to run away from the entire incident.

IA Disposition: Unfounded
CRB Action: The CRB concurred with the findings of IA, that body worn camera video did not demonstrate inappropriate behavior on the part of the attending officer

Incident Date: August 3, 2022
Complaint Filed: August 15, 2022
Closed Case: May 4, 2023
Assigned Case #: 22c-053
Review Committee: Comins, Fawcett, Jenkins, Rivera-Berrios

Complaint: Complainant alleged that police officers conducted an unwarranted search and seizure in the parking lot of a smoke shop, and that a detective planted drugs in their pocket

IA Disposition: Unfounded
CRB Action: The CRB concurred with the findings of Internal Affairs, that body worn camera video did not demonstrate that drugs were planted on the complainant

Incident Date: August 18, 2022
Complaint Filed: August 18, 2022
Case Closed: February 6, 2023
Assigned Case #: 22c-056
Review Committee: Carter, Counsel, Jenkins, Pescatore, Rivera-Berrios

Complaint: Two patrol officers were alleged to have ignored and laughed at a citizen suffering a seizure on the sidewalk, and to have been verbally and spatially aggressive with the complainant who initially approached the officers about why they were not offering assistance to the citizen suffering the seizure.

IA Disposition: Summary Action; officer did not activate his body camera, the officer was found to be in violation of General Order 7.10 Body-worn cameras.

CRB Action: The CRB recommended that the Chief of Police use cases like this as an example for other officers going forward; in this case, one of the responding officers likely lied in their interview in order to hide or minimize their misconduct. While the frustration and words used were inappropriate for a trained officer, they were still somewhat understandable because he was being berated by a member of the public on short notice. However, lying in order to downplay his misconduct harms the public trust going forward. The public would rather hear: "I made a mistake, I overreacted, and I'm sorry." A statement as simple as this, even following an error or misconduct by an officer, actually ends up building public trust.

Incident Date: October 1, 2022
 Complaint Filed: October 7, 2022
 Case Closed: September 13, 2023
 Assigned Case #: 22c-067
 Review Committee: Carter, Comins, Pescatore, Rivera-Berrios

Complaint: The complainant alleged excessive force, assault and battery inside the police station lobby upon entering in order to lodge a complaint about police officer personal cars parked illegally.

IA Disposition: The claim of excessive force was not-sustained, but a sergeant was found in violation of arrest procedures, rules of conduct, citizen right to record, and General Order: Front Desk Supervisor.

CRB Action: The review committee concurred with the IA disposition, and forwarded the following recommendations to the Chief:

1. Train front reception to cover confidential/private materials, when needed. (turn them over, cover the documents with blank paper, etc). Confidential/private documents should avoid being viewed at the front desk.
2. Follow up an order that is not obeyed with an explanation in a non-threatening situation. Front desk officer could have explained why he wanted the complainant to move back from the glass and stop videotaping, but he didn't; an explanation might have helped.
3. Move difficult or emotional situations to a private area of the police department instead of filling up the lobby with police officers; a small meeting area off the lobby (adjacent to IA) is not conducive to a conversation -- no table, no chairs.

4. The YouTube video posted as a result of this incident has inaccurate information and is a liability for NHPD if it remains online. Consider pursuing legal recourse for removal.
5. Reach out to local State Reps to assist with: obtaining grant money; visit Guilford, Milford, and West Haven Police Department lobby areas for comparison; develop a community team to assist.

Incident Date: June 12, 2022

Complaint Filed: October 18, 2022

Case Closed: April 3, 2023

Assigned Case #: 22c-070

Review Committee: Counsel, Johnson, Richardson, Rivera-Berrios

Complaint: Complainant alleged that a hit and run incident leaving him hospitalized was not fully or properly investigated, and that the investigating officer did not adequately respond to his repeated pleas for further investigation

IA Disposition: Sustained; the initial complaint was unfounded, but the IA investigation revealed other misconduct related to collection and reporting of details related to the case, which was sustained.

CRB Action: The review committee concurred with the IA findings, and forwarded the following recommendations to the Chief of Police:

1. Accident reconstruction team to be activated when a tragic accident occurs.
2. Investigate all incidents fully when a citizen suffers a grave injury.
3. Set up a system to pass along the investigation to the next shift.
4. Leave a card or something that shows the resident that they need help with an investigation.
5. Consider changing the disposition because evidence was lost due to the length of time the investigation took (school camera footage).
6. Consider following up additional times for people with head trauma or memory issues to see if anything new relevant information comes back.

Incident Date: February 23, 2023

Complaint Filed: February 28, 2023

Case Closed: July 24, 2023

Assigned Case #: 23c-013

Review Committee: Comins, Jenkins, Pescatore, Rivera-Berrios

Complaint: Alleged illegal search and seizure of an automobile in a convenience store parking lot

IA Disposition: Sustained; the officer did not file a report of the incident, which is a violation of general orders.

CRB Action: The review committee concurred with the IA findings.

General Recommendations Forwarded to the Chief

1. All officers should have business cards to maximize professionalism.
2. The front lobby of the Police HQ to be assessed for renovation or restyling to create a more welcoming and secure entrance for the public. For more details see recommendations from 22C-067
3. Currently, the lobby does not feel welcoming; unfortunately it feels closer to the opposite, inaccessible and unapproachable, like the police are protecting themselves “from” the public
4. The CRB is recommending that the PD update the rules of conduct inside the Police Department and have them posted. Maybe it might say no disturbing the peace or... Then also have consequences. If any of these things occur you will be given 1 warning, if it happens a second time you will be asked to remove yourself from the premise and if it occurs a third time action may be taken against you.
5. The CRB suggests visiting other departments to draw comparisons for changing the feel of the lobby, creating something that feels welcoming with a quiet room right off the lobby that can be used for conferences with individuals who come in the lobby.
6. The CRB suggests considering how to make the public feel more like the police are putting themselves between the public and danger, rather than the police protecting themselves from the public.
7. Consider having public parking accessible so that someone who wants to come in and make a complaint can have somewhere to park. The entire area is surrounded by Police Parking and makes it inaccessible to the public.
 - a. The CRB acknowledges that this may not be an easy fix, because from the outside the police department building looks like more like a fortress, blockhouse or dungeon
8. The CRB suggests considering a long term plan for abandoning the current facility and seeking a location and facility that project the opposite, like a welcome center; for example, a house on the green downtown, where kids, adults and police officers are sitting on the steps outside chatting; with public restrooms open 24/7; and a reception area that feels more like a 5-star hotel. Another option is considering an entire upgrade.
9. Confidentiality should be a focus for anyone in the lobby. There should be a side room available for officers to use to speak to individuals making complaints so others do not have to hear what they are discussing in the lobby.

Financial Statement

Fiscal		Payments		Deposits		
Year	Vendor Name	Invoice#	Amount	Payed By	Amount	Running Balance
2019				City General Fund	\$50,000.00	\$50,000.00
2019				Interest	\$40.92	\$50,040.92
2020				City General Fund	\$150,000.00	\$200,040.92
2020				Interest	\$453.56	\$200,494.48
2021				City General Fund	\$150,000.00	\$350,494.48
2021				Interest	\$657.63	\$351,152.11
2021	Administrator	FY 2020-2021	\$50,000.00			\$301,152.11
2022				City General Fund	\$150,000.00	\$451,152.11
2022				Interest	\$377.67	\$451,529.78
2022	Administrator	FY 2021-2022	\$50,000.00			\$401,529.78
2023				City General Fund	\$150,000.00	\$551,529.78
2023				Interest	\$7,448.57	\$558,978.35
2023	Administrator	10277870	\$3,555.55			\$555,422.80
2023	Administrator	10285278	\$3,555.55			\$551,867.25
2023	Administrator	10300281	\$1,777.78			\$550,089.47
2023	Administrator	10300282	\$3,555.55			\$546,533.92
2023	Administrator	10308213	\$20,000.00			\$526,533.92
2024				City General Fund	\$150,000.00	\$676,533.92
2024				Interest as of 2/24	\$7,185.84	\$683,719.76
2024	Administrator	10324109	\$3,555.55			\$680,164.21
2024	Administrator	10324955	\$3,555.55			\$676,608.66
2024	Administrator	10324956	\$3,555.55			\$673,053.11
2024	Administrator	10324957	\$3,555.55			\$669,497.56
			\$146,666.63	Total A/R	\$816,164.19	\$669,497.56
	<u>Open-Unpaid Contracts/Invoices</u>					<small>Balance When Paid</small>
2023	Administrator		\$16,000.02			
2023	Attorney		\$5,062.50			
2024	Administrator		\$32,800.00			
		Total	\$53,862.52			\$615,635.04
	<u>Uninvoiced Expense</u>					
2023	Holiday Event		\$596.21			
		Total	\$54,458.73			\$615,038.83

CRB Goals for 2024

1. Hire Professional Investigator
 - a. The Board voted on November 28, 2023 to hire an Investigator. The Board feels that having access to an independent investigator who has the skills and knowledge related to police protocol and interviewing will be helpful when examining complaints and cases. The Investigator position is outlined in the Ordinance and will be hired as a subcontractor to the CRB's Legal Counsel.
2. Ordinance Revisions: continue to pursue modifications with the Board of Alders
3. Update bylaws
4. Improve the ease and process for the filing of civilian complaints
5. Training for new members
6. Improve member participation in reviewing cases in a timely manner
7. Continue the work necessary to ensure that members of the public are heard, that the Police Department has the support needed from the community to continue their work, and that the community is policed in a responsible, respectful, and efficient manner
8. Continue with efforts to build a relationship with the Yale Police Department

Annual Report Directive

To prepare an annual report to the Office of the Mayor and the Board of Alders indicating:

1. The number, type, and basic facts of complaints filed;
2. The number of police officers against whom complaints were filed and the number of police officers against whom multiple complaints were received;
3. The Civilian Review Board's findings and recommendations on the complaints;
4. Internal affairs' findings and recommendations on the same complaints; and
5. The disposition of the complaints, provided such disclosure does not violate confidentiality laws and regulations;
6. To require any police department acting within the City of New Haven pursuant to municipal police powers to reopen any closed investigation and to continue an investigation, if in the judgment of the civilian review board, an initial investigation was incomplete, unfair, or otherwise unresolved;
7. To recommend revisions to policies, the manner of processing civilian complaints, training protocols, and/or provisions of general orders or departmental standards, to any police department acting within the City of New Haven pursuant to municipal police powers;
8. To develop policies and procedures for the filing and processing of civilian complaints to the civilian review board, for the operations of said board, and for the training of members of said board and the community-based agencies and organizations, as selected by said board;
9. To develop a memorandum of understanding with the Yale University Police @Department designed to effectuate the goal of assuring transparent civilian review of any civilian complaint of an alleged police misconduct by an officer employed by a police department acting within the City of New Haven pursuant to municipal police powers.

Per the bylaws, here are the required reports:

- A. The Board shall submit a report each April and August to the Board of Police Commissioners and the Board of Alders that includes but is not limited to the following: The Board's observations, findings, and recommendations regarding the Internal Affairs units' investigations and practices of agencies policing in New Haven. These reports will include complaint statistics and identify any concerns with the General Orders and other policies as they relate to police officer misconduct. Patterns of behavior, unclear procedures, policy issues and training needs may be identified for review.
- B. The Board shall prepare and submit each December an annual report to the Board of Police Commissioners and Board of Alders summarizing the activities and recommendations of the Board including the tracking and identification of trends in respect to all complaints received and investigated during the reporting period and making recommendations on policies and procedures including changes to facilitate the formal filing of complaints.
- C. The reports referred to in this section shall be made public.

Appendix - Complaint Closure Dispositions

EXONERATED: The investigation determined by a preponderance of the evidence that the alleged act did occur, but the officer engaged in no misconduct because, the act was lawful, justified and proper, or the investigation determined by a preponderance of the evidence that misconduct or malfeasance was committed, but not by the subject of the investigation.

UNFOUNDED: The investigation determined by a preponderance of the evidence that the misconduct or malfeasance complained of did not occur.

NOT SUSTAINED: The investigation was unable to determine by a preponderance of the evidence whether or not the misconduct or malfeasance complained of occurred, or whether or not it was committed by the subject of the investigation.

SUSTAINED: The investigation determined by a preponderance of the evidence that the misconduct or malfeasance complained of occurred and that it was committed by the subject of the investigation.

MISCONDUCT NOT BASED ON ORIGINAL COMPLAINT: The investigation determined by a preponderance of the evidence that other misconduct or malfeasance which was not the basis for the original investigation occurred, was discovered during the course of the original investigation, and was committed by the subject of the investigation.

WITHDRAWN: At some point prior to the completion of the investigation, the complainant notified the Department that he/she/they wished the investigation to be discontinued and concurrence for this action was obtained by the Chief of Police.

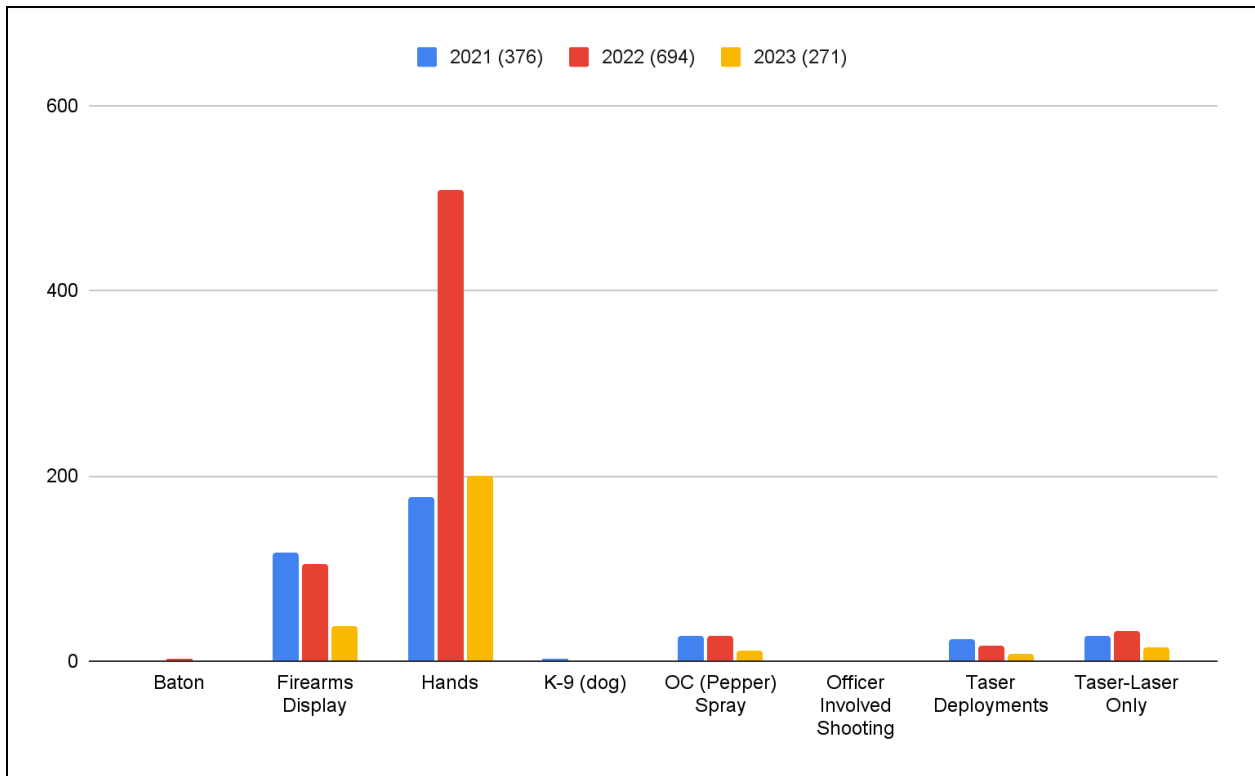
SUMMARY ACTION: Supervisory action in the form of an oral reprimand, or counseling documented in writing, was taken by an employee's supervisor or commander for minor violations of department rules, policies or procedures as defined by this Department. Summary actions are the lowest level of supervisory action or remediation.

RECONCILED: At the discretion of the Chief of Police, the process of reconciliation may be encouraged in lieu of any of the above dispositions. When authorized by the Chief of Police, supervisors receiving complaints, shall to the extent possible, bring together the complainant and the officer or employee involved in minor violations and attempt reconciliation. This may be used where the complaint is from a misunderstanding on the part of the affected officer, employee or the complainant. Reconciliation may be employed for the complaints of a minor nature that do not reflect:

- Discredit upon the Department.
- Discredit upon the involved employee.
- Commission of a criminal offense.
- Allegations of racism, bigotry or prejudice against any race, religion, creed, national origin, sexual orientation, or circumstances beyond the individual's control.

Reconciliation must be documented through the chain of command to the Chief of Police or his or her designee. Reconciliation does not preclude further corrective action on the part of the Department.

Appendix - Use of Force Statistics by Year



The above data is taken from the NHPD's Use of Force Report, which can be found, along with the Yearly IA Reports, on the NHPD Internal Affairs Unit page of the City website. "Use of Force" for 2023 is down more than 200% when compared to 2022.