



City of New Haven Civilian Review Board

Minutes for July Monthly Meeting of the Board

6:00 PM

In-Person Attendance:
None

[Recording](#)

1. Roll Call 6:00 PM

Present: McClure, Rivera Berrios, Pescatore, Comins, Fawcett, Jenkins

Absent: Kimbro, Redente, Carter

Invited Persons: Asst Chief Manmeet Bhagtana, Lt. Jessie Agosto, Atty Beth Merkin, Jacqueline Manning (Investigator), Alyson Heimer (Administrator), Al Lucas (Board of Alders)

Members of the Public: None.

2. Approval of Minutes 6:05 PM

a. Monthly Meeting June 26, 2024

Member Comins had a comment about the descriptions being shorter under the IA report. The Administrator edited one line that was duplicated.

Comins motioned for minutes to be approved, with a redaction of one line. Unanimous approval 7-0-0.

3. Chair's Report - 6:10 PM

a. Investigator Update - Hiring process complete, proceeding through contracting in Corp Counsel: Chosen candidate is Jacqueline Manning.

b. Atty Merkin introduced Investigator Manning as someone who has worked for Hartford in a similar capacity. The Investigator's role is outlined in the ordinance.

The investigator shall have the same access to files as the IA investigators.

Investigator Manning spoke; she explained her Hartford experience and the types of cases she has been working on for a long time. She mentioned her experience with investigation including obtaining evidence, performing interviews, handling evidence, and being objective in her practices.

Atty Merkin explained that the role of Investigator is helpful when a closed case is concerning to CRB members and re-examining is preferred. An investigator might also be helpful to access IA files earlier than the 90 days timeline currently outlined with cases whose investigation has become protracted, which the Board has expressed concerns about.

Member Fawcett asked to see the description of effort in writing as a job description.



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Member Pescatore thanks Investigator Manning for her presentation. Anticipates 6 months to a year to figure out the role in full. We might need to do this the New Haven way and we need the investigator to be flexible.

Jenkins the investigator needs to be accountable and flexible, glad it's a woman. How is the Hartford Board different from New Haven?

Investigator Manning spoke about the structure of the Board in Hartford - that is based on an Inspector General model. Because New Haven is different she is here to help brainstorm and determine use cases, or to consult more generally on cases. This being the first time for the CRB, she is here to serve in any capacity needed.

Asst Chief Bhagatana welcomed the investigator and looks forward to future collaboration.

Chair Rivera-Berrios motioned to adjust the agenda to shift to the IA report next. Unanimously approved.

4. IA Report 6:20 PM

a. Closed Cases

- i. 23C-035 - Officers were standing outside of their vehicles and they were approached by the complainant, which led to an altercation and pursuit. This officer is known to be aggressive and a PCP user. He made a complaint saying he was the one being harassed, and that he's repeatedly been arrested for "no reason" but the investigation led to this being considered a justified use of force. This was unfounded.

Member Comins: Why did this take a year to close?

Lt. Agosta: This is the ramifications of having a backlog and fewer investigators.

- ii. 24C-004 - The investigation found that the second use of pepper spray was unnecessary and violated our use of force statutes.

Member Jenkins: how many people were involved in this?

Lt. Agosta: many.

Member Jenkins: and so the officers were chasing after people and then sprayed them?

Lt. Agosta: yes, that was the violation.

- iii. 24C-022: This was another case at Chipotle and this was an incident with handcuffs that were too tight.

Chair Rivera Berrios: what is a Summary Action and how is that different from other types of interventions?

Lt. Agosta: Summary Action is when an officer is counseled or given recommendations for training from their supervisor.

Jenkins: what is the discipline if it wasn't from the Chief?

Lt Agosta: Its retraining from a supervisor

Asst Chief Bhagatana: its progressive discipline so if this individual has a problem with this general order in the future we can up the ante. It goes in their file



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is incident it was more of a needed education.

23C-030: when IA spoke with the complainant she stated that the use of force was needed at this time because of her state of mind.

Comins: Why wasn't COMPASS called?

Asst Chief Bhagtana: this was not available at this time.

v. 23C-045: This was a complaint after a call to a couple who broke up but the female kept the playstation.

vi.

Member Comins: So because this was a domestic violence complaint the arrest warrant was put out, not because of the value of the object being stolen?

Lt. Agosto: correct. Family violence.

vii. 24C-048: a financial crimes case where the owner of a towing company felt his employees were stealing from him and the owner felt the case was not being properly investigated.

viii. 24C-052: anonymous complainant who said there was an inappropriate proposal for which he would not follow through and so the officer gave him a ticket. Body cam footage was reviewed. Investigators were unable to find any interactions between this individual and the officer in question.

Chair Rivera-Berrios asked for an update on the mental health and autism training.

Ass Chief Bhagtana: The autism training is annual. The mental Health awareness training is upcoming and we have a Lt. who is dedicated to mental illness and substance abuse and helps us identify people in the community who are in need of services. We have sensory kits and an authorization form now for a safety alert form that lets officers know if there is an individual at an address who may need special care and it will be flagged in the system when a call comes in so responding officers use that.

b. Statistics and Use of Force update - Comins thanks Lt Agosto for the updated format which is more clear.

5. General Public Comment (Questions in chat and public comment)

None.

6. Administrator's Report

a. Letters to complainants have gone out to everyone who filed a complaint prior to July 15 except for those without an address or who filed anonymously.



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Mr McClure logged off at 7:43pm

- b. Brochure drafts will be reviewed and the sub committee will sit down with IT to determine the details.
- c. RFQ Documents will be sent to all members for comments.

Member Pescatore Logged off at 7:56pm

7. Vote to review cases and discussion on any closed cases

24C-022 - Atty Merkin commented that she had spoken to IA about this case and was satisfied with their investigation and resolution considering these were newer officers.

Member Jenkins logged off at 7:59pm

23C-030 - Atty Merkin stated that for this case she had reached out to the Chief to discuss why COMPASS was not involved. She feels the Chief heard her concerns and is satisfied with the outcome of the conversation.

24C-045 - Member Comins: seemed an extreme way to resolve this issue.

8. Old Business

- a. CRB attorney's report covering the Bylaws - there are some concerns regarding the amount of time given the CRB, and if it is adequate time to respond to complaint outcomes from IA before the Chief reviews these files. This will be the main focus of any work done on the bylaws. Atty Merkin noted that there is clear language in the bylaws that allows for removal of members for not attending meetings, if a board member fails to read assigned cases for two consecutive months, or fails to come to sub committee meetings. Cases must be officially assigned to members.
- b. Ordinance update - second reading to be held August 5, 2024.
- c. Comins: did we ever get to the bottom of the FOIA request case (D. Brown). Chair Rivera-Berrios: yes, for the first case she dropped it and the second issue she has is still under review in IA and we cannot look at the case until it is closed.

9. Adjourned at 8:21pm.

Per Order: Hon. Anne Marie Rivera-Berrios, Chair; Attest: Hon. Michael Smart, City/Town Clerk. Agenda Prepared by Administrator Alyson C. Heimer.