

REGULAR SESSION MINUTES
APRIL 13, 2021
BOARD OF POLICE COMMISSIONERS
NEW HAVEN, CONNECTICUT
VIRTUAL AND TELEPHONIC VIA ZOOM

PRESENT: Commissioners Michael Lawlor; Tracey Meares;
Isaias Miranda; Evelise Ribeiro; and Donald Walker

Chief Dominguez: Department of Police Service
Assistant Chief Carl Jacobson: Department of Police Service
Lieutenant David Zannelli: Department of Police Service
Sergeant Dana Smith: Department of Police Service
Ramon Davis: Administrative Assistant II

Michelle Duprey, Esquire: Deputy Corporation Counsel
Bruce Fischer: Traffic and Parking
Doug Hausladen: Traffic and Parking

Gerald Antunes: Board of Alders
Allan Appel: New Haven Independent
Sarah Bernardo
Collette Braman
Salvatore DeCola: Board of Alders
Daniel Hunt
Alan Mitchell
Jishian Rauinthiran
Abigail Roth: Board of Alders
Areeb Siddique
Shunhe Wang
Paul Zehb

OPEN SESSION

The meeting was called to order at 6:02 p.m., Evelise Ribeiro, Chair, presiding.

REGULAR MEETING OF THE TRAFFIC AUTHORITY

Following the regular meeting of the Traffic Authority, Mr. Fischer and Mr. Hausladen excused themselves.

DISCUSSION AND APPROVAL OF MINUTES

- ** Commissioner Walker moved to Approve the Regular Session Meeting Minutes of March 9, 2021
- ** Commissioner Lawlor seconded
- ** Motion passed unanimously

CHIEF'S REPORT

Chief Renee Dominguez

■ Chief Dominguez indicated that there were 20 officers in different phases of the FTO program. Thirteen of the first 16 are in Phase Four which is the final phase. There are two more weeks to go before, hopefully, the officers are seen on the streets which is very exciting. Three others are extended in phase three for just different reasons. One of these three was on military leave. So he was delayed a little bit. There are no performance issues. The other two just need some tweaks. The Department sees this often. There are no concerns at this point. The officers are monitored daily in order to get them up to solo-officer standards. It means that the FTOs are grading appropriately and looking for these standardized evaluation guidelines that the Department follows. The other five at POST are in Phase Two so they will be out a little bit longer. They probably have another six to eight more weeks before they off the FTO program.

■ Captain Duff retires on April 14th, 2021. It is his last day, however, he is on vacation. There will be a celebration for him on Monday the 19th. It is a surprise. The plan is in the works. All are invited to attend. Assistant Chief Sharp retired on March 31st, 2021. He chose not to have a celebration. However, there was a small internal celebration for him. These are high-ranking positions. This a big loss for the Department. The PIO position will be filled by Officer Scott Shumway.

■ Nine sergeants were promoted at the end of March. They went through Sergeants' School which consisted of six days of training where there were individuals from University of New Haven come as well as individuals from the Daigle Law Group for liability and first-line supervisor training. There was a lot of in-house training by the Department's own officers on policies and procedures. They went into an FTO phase during which they rode with seasoned supervisors on the evening shift to experience as much as they could with another sergeant or lieutenant. Everyone is off of that phase and working solo. There is excitement because they are great group of supervisors.

■ The captains' test will be hopefully certified by Civil Service at the end of the month. Requests for promotions will be forthcoming. The prospective lieutenants will be taking their lieutenants' tests on April 24th and 25th, 2021. There are going to be lots of promotions moving forward. The Department is looking to do its promotions in July by the time the test results come back. It is exciting for the Department to move toward proper restructuring and filling ranks which will reduce overtime at least in the supervisor rank.

■ Chief Dominguez stated there were press events held by the Department. Last week Distracted Driving was the focus as April is Distracted Driving month. The Department received a grant. The motor unit and officers are doing distracted driving enforcement for the month on April. There was a press release on National Distracted Driving Day which was April 8th, 2021. The hope is to educate the public through the press and also the enforcement. And also allows the community to see more officers on the streets doing motor vehicle enforcement. It stops need not necessarily result in infractions, it could just be a warning and reminding folks to put their phones down and a little bit of education.

■ There was a press conference on the gun buyback program which will take place on Saturday, April 17th, 2021 at the New Haven Police Academy. The Department is offering gift cards in various denominations for weapons that are turned in. They are all anonymous. Identification is not required. People will drive up due to COVID. The Department has been doing this for 10 years and has had 14 such events. Over a 1,000 weapons have been turned in. The Department is partnering with the Plowshare Program which turns parts of the weapon into gardening tools. The gardening tools then go to agricultural schools and individuals who want them. The schools use the tools for their gardens and some of the bounty from the gardens go to food kitchens.

■ De-escalations training was being conducted at the New Haven Police Academy. A press event has been scheduled for next Monday at the academy. Retired Lieutenant Hassett is the instructor for that. He is the only one in the State of Connecticut that has POST certification in the category of de-escalation. There are certain requirements in order to have this certification. Lieutenant Hassett's program is the only one in the state that's been able to fill all of the boxes required to be categorized as de-escalation. The Department is excited for that to be going on in its academy.

■ There have been 22 shootings and nine homicides this year. At the same time last year, there were 20 shootings and two homicides. A five-year average at this time, from 2016 to 2020, there was an average of 18 shootings and four homicides. Going back five more years, there was an average of 18 shootings and five homicides. So, there is an upward trend. There has been consistency over the past 10 years.

■ The average for the last five years is 75 shootings and 12 homicides. And from 2011 to 2015 there was an average of 83 shootings and 21 homicides. There has been a downtrend in the past five years with overall violent crime numbers.

■ Commissioner Meares asked if the de-escalation training included EPIC training or whether it was more generic as to bystander instruction within the de-escalation training. Chief Dominquez responded by saying that she would provide Commissioner Meares with the information sought. She would send some information to the Commissioner Meares. She invited the commissioners to attend the training on April 19th, 2021 at 11:30 a.m.

■ Commissioner Lawlor stated at that the last meeting there was talk about the COVID situation abating. It seemed like there was more emphasis being put on the prevention techniques especially as it related to gun violence. For example, Project Longevity. He asked for an update on the extent to which officers are now being able to engage more than they were during the height of the COVID situation.

■ Chief Dominquez replied by saying that the Department had not lifted its COVID restrictions per say. However, the Department is still allowing officers to take certain calls over the phone and to minimize contact. There are certain calls that officers have to respond to, domestic-related calls. It is within the Department's General Orders and its policy on pandemic protocols. The Department has begun things like two-person cars which allows for a little more proactivity. Walking beats is back out there. The Department had stopped bicycle beats because people were kind of walking up to the officers and there were no barriers like the car. The Department has started those kinds of policing and its initiatives have started back up. So, the Department has done calls for Project Longevity.

■ Chief Dominguez added that with COVID the Department just did Project Save Neighborhoods. This will be done every other month. The next one is in May. The hope is for 20 people every other month. In 2020 the Department could not have a gun buyback event.

■ Commissioner Lawlor said hopefully as we progress in the summer more of those sorts of face-to-face customized notification type tactics that had been so affected by COVID would occur.

■ Chief Dominguez replied that they began reinstating the customized notification in February, 2021.

■ Assistant Chief Jacobson said the Department is making a list of customs aggressively. The Department is doing 10 to 15 a week since then. The Department has noticed the downward trend in shootings related to that. There have been weeks where the Department has done 20 to 25 customs as well. The substations have been opened for Probation and Parole. They are meeting people there. So, they are being more proactive than they were before. They are still not back at their offices, but the substations are available for their use and they are seeing everyone that needs to be seen. They are able to put GPS on individuals. He would rather see someone with a GPS, keep his/her job than get violated. The Project Longevity theory is really working out well. The Department has amped things up. The Department is also getting the district managers more involved which is important as well.

■ Chief Dominguez stated that two Fridays ago, on March 26th, 2021 Vice President Kamala Harris visited New Haven. The detail was seamless. The officers are professionals and were able to take a very large caravan and get it through the city to West Haven and back. The Department received great reviews from the community as the Department made every effort to limit the times that roads had to be shut. It was just a great event.

■ Chief Dominguez added that a prominent member of the community, Mr. Dye's son passed away from brain cancer which was considered an in-line-of-duty death from Ground Zero, from 9/11. The funeral was held in New Haven. It was an amazing tribute to him and to his service. Chief Dominguez stated she wanted to acknowledge him at this meeting.

■ Commissioner Ribeiro stated in looking at the minutes it seems like the Board was supposed to get an updated policy because there were going to be some changes. Chief Dominguez stated that she added the letter. She will send the changes via e-mail to the Board.

■ Commissioner Ribeiro asked if all 10 tow companies signed. Chief Dominguez said they have 10 tow companies currently that signed on.

PERSONNEL MATTERS

Acting Chief Renee Dominguez is requesting approval by the Board of Police Commissioners to send out five conditional offers of employment from Eligibility List 21-13 to the Police Officer (Lateral) to:

Omar Thomas
Mark Berretta, Jr.
Jordan Lytle
Frank Capozzi
Stephanie James

■ Chief Dominguez recommended these five candidates from the Eligibility List 21-13 be sent conditional offers of employment as police officer lateral.

■ Commissioner Lawlor asked if Mark Berretta was the same person who had been considered a couple of meetings previously. Chief Dominguez replied in the affirmative.

■ Commissioner Lawlor asked if this was not contrary to previous recommendations. Chief Dominguez replied that the Department is reworking on its policy to put a time frame in the current General Order to eliminate the issue that had arisen. Laterals come out almost every other month. The verbiage would read something like if a candidate is removed from the process, the candidate cannot reapply to either an entry-level position or a lateral position for a one-year span. This will afford the Department the opportunity to do follow-up inquiries regarding such candidates. The Department is working with Corporation Counsel to eliminate this issue.

■ Commissioner Lawlor asked if the vote would be to begin the process of vetting. Chief Dominguez replied that the commissioners would be voting to give each candidate a conditional offer. The conditional offer is what triggers the background investigations. Once the background investigations are concluded, each candidate will come before the Board to become a police officers or for removal.

■ Commissioner Ribeiro stated that as the policy stood, if a candidate not approved in one month, they can apply again the following month. The circumstances that led to the denial may change. The goal is to work on the General Order that affords the candidates the possibility for growth.

** Commissioner Lawlor moved to Approve Chief Dominique’s Recommendation to Send Out Five conditional offers of Employment from the Eligibility List 21-13 to the Following Candidates: Omar Thomas, Mark Berretta, Jr, Jordan Lytle, Frank Capozzi and Stephanie James

** Commissioner Walker seconded

** Motion passed unanimously

INTERNAL AFFAIRS REPORT

Lieutenant David Zannelli

IA CASE NO. 21C-009: The complainant alleged that the female officer was rude by immediately asking her roll down the windows in her vehicle after she was pulled over. The complainant referred to the female officer as a “Karen” and alleged that she refused to call an offer to the scene upon her request. Body-worn camera footage revealed that the complainant’s vehicle was unregistered, uninsured and had no front marker plate. The officer told the complainant to roll down her windows down because they were tinted making it difficult to see inside. The officer did in fact call a supervisor to the scene which was confirmed via radio transmission. However, the stop concluded before the supervisor got there. The officer issued the complainant a payable infraction instead of a misdemeanor summons and did not tow her vehicle, following her home safely. The officer’s actions were deemed lawful and appropriate. This was unfounded.

IA CASE NO. 20C-078: The complainant alleged that the officers who recovered her stolen vehicle did not search her vehicle upon being asked by the tow company. That she was never notified that her vehicle was recovered. That she called the NHPD claiming her vehicle may

have been involved in a shooting and that her vehicle was damaged when it was recovered which was not detailed in the incident report. The complainant provided IA with photographs of damage to her vehicle. A review of body-worn camera footage revealed that the damage depicted in the photos presented was not present when the officer recovered the vehicle from the scene. Further, the vehicle was locked on scene. And the tow operator did not offer to force entry or have possession of the keys to unlock which would have been inappropriate. In addition, the officer contacted West Haven PD upon discovering the vehicle and the recovery. Phone call-record analysis did not reveal the complainant calling the PD to report her vehicle possibly being involved in a shooting, just to report it stolen. This was unfounded. And a certified letter was sent.

IA CASE NO. 21C-022: The complainant alleged that Detective Paxton did not notify him when the investigation was completed which implicated him as a suspect in an assault case, did not provide him the case number report, and took too long to complete the investigation. Further, the complainant alleged that Detective Paxton did not communicate to court that the criminal charges would not be filed against him. Sergeant Augusto of the Special Victims Unit was assigned this complaint. During her investigation she determined that Detective Paxton did in fact complete a thorough and timely investigation into a sensitive crime which implicated the complainant. She confirmed that Detective Paxton attempted to notify the complainant via phone when the investigation and the report were both completed. She also attempted to notify the complainant personally when the investigation was completed via an e-mail. Furthermore, Sergeant Augusto detailed in her investigation in mid-February of 2021 she communicated to Meriden Court Inspector Hernandez that criminal charges would not be applied for against the complainant. This was unfounded

IA CASE NO. 20C-055: The complainant alleged that officers used excessive force on him during his shoplifting arrest at Stop & Shop and called him a racial slur during the arrest. The complainant did not respond Internal Affairs' investigators' phone calls or after receiving and signing for certified mail that was sent to hm requesting his correspondence. The complainant was involved in several recent shoplifting and trespassing incidents and is permanently banned from entering any Stop & Shops within the city. Body-worn camera footage was reviewed for all the incidents which confirmed that the complainant was the only person who used racially-charged language during the arrest. Body-worn camera footage confirmed that during two encounters no force was used at all in arresting or detaining the complainant, Mr. Grayson. In another incident Mr. Grayson was held in a bear hug by an officer while being detained after leaving the store with over \$300 in merchandize while spitting at the officer. In that situation, a minimal amount of force was used and was appropriate. This was unfounded.

IA CASE NO. 21C-021: The complainant alleged that the officer did not properly take her statement or make additional arrests in a domestic incident which she felt were warranted. The complaint was assigned to Fair Haven District Manager, Sergeant Fumiatti, who reviewed body-worn camera footage and the arrest report for the incident. According to Sergeant Fumiatti the report accurately reflected the body-camera footage and there were no detections of any policy violations by the officer involved. Sergeant Fumiatti detailed that he spoke with the complainant and informed her of his observations, and she was receptive of his explanation. This was unfounded.

IA CASE NO. 21C-015: The complainant alleged that officers were rude, issued her a parking ticket which she felt was unnecessary and unprofessional by mentioning that she received a Section 8 voucher on scene for her complaint. The complainant, Ms. Perkins, did not respond

to a phone call or e-mail. Body-worn camera footage showed that the officers responded to the scene after being called a third party for police assistance, not the complainant. Ms. Perkins' neighbor was in an argument with Ms. Perkins for her parking in the neighbor's parking spot at a private condominium complex against the policies of the condo. The officers learned that all residents are issued assigned parking spots, and that Ms. Perkins was not adhering to this rule which resulted in an argument with her neighbor. The argument was witnessed by a third party who then called the police for assistance. Officers did not take enforcement action since it was a private lot and attempted to mediate the situation between the two. Ms. Perkins disputed the condo rules. And it was revealed during the investigation that she actually had two active arrests warrants. She was taken into custody for those warrants by the East Haven PD. Body-worn camera footage confirmed that the officers did not mention anything about her receiving a Section 8 voucher. And this was unfounded as well.

■ Lieutenant Zannelli stated that the Department had 34 civilian complaints. For this year there are there are 34 complaints. At the same time last year there were 29 complaints, in 2019 there were 25 complaints and in 2018 there were 13 complaints. These statistics are updated on the Internal Affairs website for the Department.

RETIREMENTS (For Board information only)

Assistant Chief Herbert Sharp, eff., April 1, 2021
Captain Anthony Duff, eff., April 14, 2021

■ Commissioner Ribeiro congratulated Assistant Chief Herbert Sharp and Captain Anthony Duff on their retirements. She wished both the best in their endeavors.

RESIGNATION (For Board information only)

Officer Anthony Ryken, eff., April 12, 2021

■ Commissioner Ribeiro stated that the appointments to the different committees were supposed to have occurred at the February, 2021 meeting. The elections were put off for a month. The appointments would occur at this meeting

■ Commissioner Ribeiro indicated that she had an opportunity to speak with the members of the Board previously and gave a synopsis of what each committee does. The commissioners have volunteered for different committees. She thanked the members of the Board. There are no reports tonight except for one committee. The appointments tonight would not preclude any Board member from moving to another committee when they choose to.

■ Going forward the Efficiency Committee would comprise of Commissioners Meares, Walker and Lawlor

■ The Finance Committee would comprise of Commissioner Ribeiro and Miranda.

■ The Recruitment and Selection Committee would comprise of Commissioners Lawlor, Walker and Miranda.

■ Commissioner Ribeiro added that ad hoc committees would be appointed for such things as bylaws, rules of orders, etc., when necessary.

■ At the annual meeting a secretary clerk was supposed to be appointed for the Board, someone who is not a member of the Board. It has to be a staff person. The Board has appointed

Ramona Davis. She has been the secretary clerk for many, many years. She does an excellent job.

■ Commissioner Ribeiro stated that the goal is to have committee reports at every meeting going forward.

RECRUITMENT/SELECTION COMMITTEE REPORT

■ Commissioner Ribeiro indicated that as had been alluded to previously, the Department was working on a background matrix for the recruitment and selection of new officers. The matrix has been completed. The platform has been sent to Corporation Counsel.

■ Attorney Duprey added that Corporation Counsel had given her their feedback.

■ Once Corporation Counsel is done, it will return to the committee and then it will be before the full Board possibly for approval.

■ Commissioner Ribeiro stated that the background matrix basically was something that came about as a result of the committee's discussion with the staff last year. They determined that they wanted to ensure that there was a system in place that, once the background investigators complete their investigation, when candidates are brought to the Board either for approval or removal that the process is more systematic. The goal is for the Board to be consistent across the board in terms of how it approves or denies candidates. The staff did a great job.

■ Sergeant Smith stated that regarding the first Eligibility List 21-03 that was approved for the first 100 conditional offer letters, at the end of the completion of the deadline there are a total of 84 full submissions out of the first 100. There were 12 disqualifications. Three declined that were eligible to go to the next round of eligible officers. There was a withdrawal as the candidate was hired by another department.

■ Sergeant Smith added that the background investigations are ongoing.

■ Sergeant Smith further stated that there are a few virtual events in efforts to recruit planned. There is one scheduled for the 17th, 2021. There was an event with Albertus Community College. There was an event with John Jay College of Criminal Justice. There are three such planned events this month. There is one April 14th, 2021 called Virtual Coffee with a Cop with the Bridgeport Police Department hosted by Housatonic Community College. On April 15th, 2021 there is an event planned event in Hartford at a Law Enforcement Fair at the Dunkin' Donut Stadium from 9 a.m. to 3 p.m. On the Wednesday, 21st, 2021 he will attend another event with Albertus Community College along with Yale Campus Police and Milford Police Department speaking with their criminal justice students.

■ Commissioner Lawlor asked about the University of New Haven. Sergeant Smith responded that the plan was in the works. Commissioner Lawlor added that the university had a lot of high-caliber students graduating in the next two months. Sergeant Smith stated he would send an e-mail. Commissioner Lawlor indicated he should do so and he would hook him up.

■ Commissioner Ribeiro stated that she would like the Department to begin its recruitments process much younger.

■ Chief Dominquez stated that she and Assistant Chief Jacobson have a presentation on Monday from officers who run the Police Explorer program which is even younger than that but it's for the police cadets. The Department wants to bridge the gap between police explorers and age 21 by having a Police Cadet program. The department will prepare individuals to take the police test and to become a New Haven police officer. That is one of the projects for this year.

- Commissioner Ribeiro asked about the disqualifications.
- Sergeant Smith replied by saying it is a two-pronged application process. First, the applicant has to do the online personal history questionnaire in addition to an in-person package submission. If an applicant completes only one of these, the applicant is then eliminated. There were multiple notifications that went out from him and also to Human Resources to afford the applicants the opportunity to complete both requirements. The Department extended the deadline for an additional week. So, some failed to do what was required which led to the loss of 12 applicants.

EFFICIENCY COMMITTEE REPORT

There were none.

FINANCE COMMITTEE REPORT

There were none.

OTHER BUSINESS

There were none.

PUBLIC COMMENT

There were none.

EXECUTIVE SESSION

- ** **Commissioner Walker moved to Enter Executive Session for the Purpose of Preliminary Draft and Notes, Internal Affairs and Legal Matters**
- ** **Commissioner Lawlor seconded**
- ** **Unanimously passed**

The Board entered Executive Session at 7:12 p.m.

- ** **Commissioner Walker moved to Exit Executive Session**
- ** **Commissioner Meares seconded**
- ** **Unanimously passed**

The Board exited Executive Session at 7:56 p.m.

- ** **Commissioner Walker moved to Adjourn the Regular Meeting**
- ** **Commissioner Lawlor seconded**
- ** **Unanimously passed**

The next regular meeting will be on May 11, 2021.
The Board adjourned at 7:57 p.m.

Respectfully submitted,

Sotonye Otunba-Payne