

REGULAR SESSION MINUTES
FEBRUARY 8, 2022
BOARD OF POLICE COMMISSIONERS
NEW HAVEN, CONNECTICUT
VIDEOCONFERENCE AND CONFERENCE CALL VIA ZOOM

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

Interim Chief Dominguez: Department of Police Service
Assistant Chief Karl Jacobson: Department of Police Service
Captain David Zannelli: Department of Police Service
Lieutenant Manmeet Colon: Department of Police Service
Sergeant Paul Finch: Department of Police Service
Officer Reginald McGlotten: Department of Police Service
Officer D. Cohen: Department of Police Service
Officer Raul Pereira: Department of Police Service

Michelle Duprey, Esquire: Deputy Corporation Counsel
Regina Rush-Kittle, CAO, City of New Haven

Chief Ronnell Higgins: Yale Police Department
Assistant Chief Steven Wozynek: Yale Police Department

Gerald Antunes: Board of Alders
Nicaury Baez
Thomas Breen - New Haven Independent
Gregg Curran
Angelo DeLieto
Daniel Hunt
Ben Lambert: New Haven Register
Juan Marte
Karl Rodriguez-Perez

OPEN SESSION

The meeting was called to order at 6:03 p.m., Evelise Ribeiro, Chair, presiding.

Commissioner Ribeiro indicated that the Traffic and Parking Department had new leadership. They have been in touch with the Traffic and Parking Department. They are very busy. Hopefully, Traffic and Parking meetings would resume soon.

AGENDA

Approval of the Agenda for the Board of Police Commissioners.

** Commissioner Walker motioned to Approve the Agenda
** Commissioner Meares seconded

** Motion passed unanimously

DISCUSSION AND APPROVAL OF MINUTES

Discussion and Approval of the Regular Meeting Minutes of January 11, 2022.

** Commissioner Meares motioned to Approve the Regular Meeting Minutes for January 11, 2022r

** Commissioner Brooks seconded

Commissioner Ribeiro made corrections on pages 4 and 9

** Motion passed with the corrections. Commissioner Walker abstained

Discussion and Approval of the Special Meeting Minutes of January 18, 2022.

** Commissioner Walker motioned to Approve the Regular Meeting Minutes for January 18, 2022

** Commissioner Meares seconded

** Motion passed. Commissioner Brooks abstained

PUBLIC COMMENTS

■ Mr. Daniel Hunt began with pleasantries. Mr. Hunt indicated that he was a commissioner for the Town of Hamden, Human Services. He wanted to specifically speak in support of Officer Greg Curran being hired. He indicated he was excited for Officer Curran. Officer Curran will do well in his new role if hired. Mr. Hunt indicated he had known Officer Curran for a long time, from when he was an officer for the Town of Hamden. Officer Curran engages the youth. He is well known in the community. He thought Chief Higgins, Chief Wozynek and Chief Campbell have done a great job recruiting him for the Yale Police Department. He is going to be missed in Hamden.

CHIEF'S REPORT

Chief Renee Dominguez

■ Chief Dominguez indicated that she did not have much to report other than the crime statistics. She did not have the COVID numbers from last month. It had been a busy day. As soon as she gets them, she would forward the changes from January to February. She apologized.

■ In terms of Covid, Mayor Elicker had indicated that a booster is required in order to be considered fully vaccinated. As a result of this, they are getting into compliance with either testing or getting officers boosted. Four officers are currently out after having tested positive for COVID. The fifth officer is out due to the long-term effects from having had COVID in December.

■ There has been a considerable drop in the number of staff with COVID. The number of people infected with COVID almost flatlined. The slight spike came about this past weekend.

■ At this time last year, there were 12 non-fatal shootings and six homicides. There have been

12 non-fatal shootings and zero homicides this year.

■ The gun numbers are similar to last year at the same time. Last year at this time 16 guns were seized and 18 people were arrested. This year 16 guns have been seized with 15 arrests. Two of those guns were ghost guns. The Department is working with its federal partners regarding these ghost guns. A more comprehensive report is forthcoming next month. All guns that come into the Department are tracked.

■ There was a promotion ceremony for the sergeants on February 1st, 2022 at Wilbur Cross High School.

■ The Department organized a two-week Command College for the sergeants. The top 20 participated in the college previously in order to maximize the Department's resources.

■ Captains Dell and Zannelli put together training for these new sergeants. It was a two-day in-house training for these newly promoted sergeants. The sergeants are now in an extended FTO training. It will be a 7-day all-encompassing training in the field. All seven of those promoted would be Patrol sergeants. It is important for them to learn in that setting as they have to make decisions real time as it is unfolding. They also have to be able to manage a large group of officers.

■ In the last week of February, the Department will be hosting FBI Leader Training for supervisors. The newly promoted sergeants and the sergeants promoted in the recent past would attend.

■ The Department is hosting this and will use a grant to pay for the Department's 20 supervisors who would attend. The training is open to other agencies as well.

■ Civil Service will be certifying their Detectives List. Once certified, the Department would put forth its recommendations before the Board in March. And hopefully promotions would occur soon after. It is very important for the Department to build some of those ranks, reinstitute its Homicide Unit, and build some vacancies into some key positions. The Department cannot fill all the vacancies just due to staffing issues. They were unable to promote all of the vacancies for sergeants as well. The Department is moving toward that.

■ They are hoping to put five more individuals in the Milford Academy. Sergeant Finch will speak more about this.

■ The more they hire, the more they can continue to fill in the ranks and promote.

■ Commissioner Meares indicated that she had a comment and a question. She commented about the issue of ghost guns. She wanted to point out that, it might also be useful for other topics, her center at Yale, the Justice Laboratory, collaborated with another center at Yale, the Solomon Center, to produce a journal issued last year. It's a *Journal of Medicine, Law and Ethics* which is all about guns, gun policy and so on. There's an article on ghost guns. All the articles should be available. She implored anyone having difficulty accessing the articles to contact her to get access. She put the link in the chat.

■ The question is following up on the conversation on January 11th, 2022 as to whether a lateral would have to start at an entry level. Chief Dominguez had indicated that she thought it might have to do with POST guidelines. Commissioner Meares indicated she knew it was governed by the Collective Bargaining Agreement. There was a question about checking out whether it had to do with POST guidelines. She wondered if there was a definitive answer.

■ Chief Dominguez indicated for the Department it is governed by the Collective Bargaining Agreement. She would make a note and e-mail Commissioner Meares the answer.

■ Commissioner Meares indicated they are aware of the Collective Bargaining piece of this. It is POST that would poses another issue. If it just the Collective Bargaining Agreement only, that gives all a sense of what could be done to change it.

PERSONNEL MATTERS

MOTION TO AMEND THE AGENDA

■ Commissioner Ribeiro asked that the agenda be amended to reverse the order of Items I and 2 in order to accommodate Yale Police Department.

- ** Commissioner Walker motioned to Amend the Agenda to reverse the order under Personnel Matters by making Item 2 first and making the previous Item 1, Item 2.
- ** Commissioner Meares seconded
- ** Motion passed unanimously

1. Discussions and action on the recommendation from Chief Ronnell Higgins to hire the following candidates to the Yale Police Department:

1. Greg Curran
2. Karl Rodriguez-Perez
3. Angelo DeLieto

■ Chief Higgins greeted all. They are here to present three candidates. He would turn it over to Assistant Chief Woznyk who would share a little bit more about each candidate. He just wanted to express to the Board that he appreciated all the work the Board is doing. Hopefully, we can be in person at some point in 2022. His department appreciate all the support and wisdom they have been given over the years.

■ Assistant Chief Woznyk began by greeting everyone. They were present before the Board to respectfully request the appointment of three new officers. Some of the commissioners had the opportunity to meet the three candidates last week. He spoke briefly about each of the candidates. The three candidates bring a diverse portfolio that truly represent the best in policing. The Department is excited about the opportunity to be able to take advantage of their expertise where they feel that the candidates will be really valued not only on campus but in the City of New Haven.

■ Commissioner Lawlor indicated he participated in interviewing two of the candidates. He was impressed with each of them. They bring extraordinary amount of experience. They handled some tough questions during the interview process. Obviously, they are ready to roll for a lot of different reasons. He thought it was a welcomed addition. People overlook the fact that there's almost 100 sworn officers at Yale also patrolling many of the streets of New Haven. The Yale Police Department have been helpful as the New Haven Police Department tries to deal with some of the community policing issues in some of the tougher neighborhoods which overlap with the Yale properties. So, welcome aboard is all he would say to these three gentlemen.

■ Commissioner Ribeiro indicated that she would also echo that sentiment. The New Haven Police Department and the Yale Police Department have a strong partnership and history in the city. She has seen it during her time on the Board. She has always thought it was an honor and privilege to be able to participate in the hiring of their officers also. I am also always impressed with the candidates they bring before us for hire. Most come with experiences from other departments which is always a plus. She is pleased to entertain the possibility of accepting these candidates this evening.

** Commissioner Walker motioned to accept the hire for the candidates Greg Curran, Karl Rodriguez-Perez and Angelo DeLieto to the Yale Police Department

** Commissioner Meares seconded

** Motion passed unanimously.

2. ■ Discussion and action on the recommendation to remove the following candidates from the Eligibility List #21-01:

1. #143 - Nicaury Baez

2. #147 - Juan Marte

■ Chief Dominguez indicated that the two candidates had opted to be heard in executive session.

■ Each candidate, when asked by Commissioner Ribeiro for the record, opted to be heard in executive session.

■ Commissioner Ribeiro went on to explain to the candidates what being heard in an open or a closed session meant.

** **Commissioner Walker motioned to go into Executive Session for the purpose of Personnel Matters**

** **Commissioner Miranda seconded**

** **Motion passed unanimously**

The Board entered Executive Session at 6:31 p.m.

** **Commissioner Miranda motioned to Exit Executive Session**

** **Commissioner Brooks seconded**

** **Motion passed unanimously**

The Board exited Executive Session at 6:57 p.m.

** Commissioner Walker motioned to follow the Chief's recommendation to remove Candidate 143, Nicaury Baez, from the Eligibility List #21-01

** Commissioner Brooks seconded

** The motion passed unanimously

- ** Commissioner Walker motioned to follow the Chief Recommendation to remove Candidate 147, Juan Marte, from the Eligibility List #21-01
- ** Commissioner Brooks seconded
- ** Motion passed unanimously

INTERNAL AFFAIRS REPORT

Lieutenant Manmeet Colon

■ Lieutenant Colon indicated there were five cases closed.

IA CASE NO. 21C-092: This was received on November 30th, 2021. The complainant filed a civilian complaint with the Office of the Internal Affairs. In her complaint she stated that she was in Starbucks on Chapel Street when she observed a man walking into the establishment. This individual did not have a facemask on, a Starbucks requirement. The Starbucks staff told this individual to put on a mask but he refused and stated that he did not want to do so. He was told to put on a mask otherwise the police would be called. The complainant in this case alleged at this point the individual pulled out a shirt from a bag which had a New Haven police emblem on it. The individual then yelled that he was a police officer. Along with her complaint, she also had sent a videoclip of this incident which was kind of grainy. It was difficult to see what was on the actual tee shirt that the subject had pulled out. The audio was inaudible due to the background noise at Starbucks. Upon interviewing the barista at Starbucks, she indicated that she did not remember the man ever stating that he was a New Haven police officer. She did not see the shirt he pulled out of his bag. And she stated that the same man was seen in Starbucks before arguing with the staff over the mask, and that he is currently an Uber Eats driver. It was determined that the man was not a New Haven officer. And this incident was documented also by the Patrol Division in case we have similar incidents in the future.

IA CASE NO. 21C-088: This complaint was filed November 9, 2021. The complainant in this case filed a civilian complaint with the Office of the Internal Affairs. The complainant was involved in a verbal road rage incident that turned physical on Elm Street and Temple Street. After calling the police, she alleged that Officer Connelly told her to shut up multiple times and then refused to take her complaint. She was also upset that the other two women involved in the incident were only charged with breach of peace, and not assault. She was upset that she was charged with breach of peace when she was the person who called the police. Lieutenant Przybylski who is the district manager for Officer Connelly was assigned the case. He reviewed the body-worn camera footage and noticed that the scene was chaotic. Officer Connelly was heard telling the complainant to calm down and be quiet as she was yelling in a loud manner. Officer Camp who was also there interviewed both parties involved in the incident. Both parties claimed that the other one was the one who started the dispute and both made a counter complaint against each other. All three parties involved were issued a misdemeanor summons for breach of peace. Lieutenant Przybylski spoke with the complainant and explained to her that Officer Connelly at no point told her to “shut up,” and she misconstrued him telling her to “be quiet” as such. He also explained to her as to why all parties were arrested. Based on Lieutenant Przybylski’s investigation, determined by a preponderance of the evidence, Officer Connelly did not commit any misconduct or malfeasance in this case. This case was closed January 16, 2022.

IA CASE NO. 21C-081: This complaint was received October 14, 2021. The complaint was made against Officers Dragoi and Lambe. The complainant filed a complaint with the Office of the Internal Affairs. The complainant alleged that she was wrongfully arrested and by NHPD officers. She also alleged that her vehicle was left unattended with the valuables inside. She further stated that she was missing valuable items and lottery tickets after she left the detention facility. The complainant was contacted on several occasions for a voluntary interview to which she agreed but never showed up for her scheduled appointment with the IA investigator. This investigation revealed that NHPD officers were dispatched to a Sam's Mart located at 285 Whalley Avenue. The store clerk told the officers that the complainant urinated on the floor inside the store and that he wanted to press charges. The clerk positively identified the complainant as the offender at which time she was arrested. Officers initially were going to give her a summons, but her refusal to cooperate and sign the summons ended up in officers placing her under custodial arrest. During the intake process at the New Haven detention facility, her property was logged in, a bag with her name on it, and sealed. It was released to her when she was issued a Promise to Appear. It was captured by the officers' body-worn camera inside the detention facility. The Jail Management System, also known as JMS, confirmed all of the complainant's property was written on an inmate property release form. The property was in a sealed envelope and only opened by her upon her release. Therefore, the officers named in this complaint did not commit any misconduct or malfeasance, and their actions were lawful and appropriate. The case was closed on January 20, 2022.

IA CASE NO. 21C-089: The complaint was received on November 16th, 2021. The complainant complained about Officers Truhart and Mastroianni. The complainant filed a civilian complaint with the Office of the Internal Affairs for an encounter he had with the NHPD plainclothes officers in the area of 767 Congress Avenue. The complainant alleged that he was ordered out of his car by plainclothes officers and his car was searched. It was determined through a police report regarding this incident that detectives from the Criminal Intelligence Unit were conducting surveillance in the area for illicit drug activity. Detectives observed hand-to-hand transactions and a male subject entered the gold-colored car, Honda. The complainant was stopped. And detectives also observed another vehicle which was also stopped. Based on the drug transactions, both vehicles were searched and marijuana was located. Sergeant Koenig spoke with the complainant about the incident, without going into fine details of the narcotics investigation which is ongoing, Sergeant Koenig explained to the complaint why he was stopped. The complainant stated at this time he wished to withdraw his complaint. Based on the complainant's statements and a thorough review of body-worn camera footage and police report, the officers did not violate any department policies. The officers were justified in their detention and search of the complainant. This complaint was withdrawn and closed out on January 20, 2022

IA CASE NO. 21C-064: The date of this complaint received was August 25, 2021. The complaint complained about Officer Giovanni. On August 25, 2021 the complainant filed a complaint with the Office of the Internal Affairs, and alleged that Officer Giovanni issued him summons for a criminal mischief without properly investigating the incident which was a civil matter of landlord-tenant issues. Sergeant Smith spoke with Officer Giovanni about this incident and told her that she should have handled the incident differently. The summons for the complainant was withdrawn before this court date. Officer Giovanni called the complainant and told him that there were no charges against him. Based on the body-worn camera footage,

incident report, the officer's interview and the complainant's interview, it was determined that Officer Giovanni did not conduct a thorough investigation. Therefore, Officer Giovanni was issued an inspection report. She was also counseled by Sergeant Smith on the necessary steps to conduct a thorough investigation. The probable cause standard needed to effect an arrest for criminal mischief, and the difference between criminal and civil matters. It was also recommended that she receive further instruction from the training academy on landlord-tenant laws. She received a summary action. This was closed on January 16, 2022.

- Lieutenant Colon highlighted the fact that the Department's Taser deployment was zero for January compared to five last year.
- They have a total of 31 use of force for the month of January, 2022 compared to 44 last year at the same time.
- Commissioner Meares indicated she was intrigued by the use-of-force report, although, since you are actually comparing this month to prior years, it's hard to say, right. She did not know what Januarys tends to look like. She wondered if Lieutenant Colon could speculate -- and if she did not want to, it was totally fine -- about how the new use-of-force policies might be impacting these numbers. And it might be way to early to say.
- Lieutenant Colon responded by saying that since September they have been training officers on the new use-of -force polices. She has seen an increase in the amount of reports that have gotten in Internal Affairs for review. It has gone up. The reason being is that the Department is training the officers. They are constantly monitoring the use of force. And any incident that requires four officers and they put their hands on an individual, requires a use-of-force report versus one use of force. It has gone up even though the incidents may not be as many. The officers involved in the incidents are definitely following the procedure of completing these reports.
- Captain Zannelli added that when they were updating the policy, they talked about the use-of-force task force between Patrol and Training. There are other times where they seize the opportunity, when they see subtle deficiencies in officers' tactics, by intervening to give them appropriate training just to make sure that they are deescalating properly and their tactics are always in line with policy. So, that helps the Department do that where they can intervene as a form of an early alert in some manner. They find that to be helpful as well.

RETIREMENTS (For Board information only)

Officer Jeremie Elliott, eff., December 31, 2021
Officer Rafael Mendez, eff., December 31, 2021
Officer Robert Maturo, eff., January 4, 2022
Officer Quintarus McArthur, eff., February 1, 2022

RESIGNATION (For Board information only)

There were none.

RECRUITMENT/SELECTION COMMITTEE REPORT

■ Sergeant Finch stated that as indicated by the Chief, they are preparing their candidates on the list for the Milford Academy. It is tentatively scheduled for April 2022. They currently have four candidates at the medical phase. This is deep into the actual process to where it is

medical phase and it's the physical agility test. And they will interview with the commissioners and the chief. So, they are towards the end. So, it is good that they have four. They are hoping to get five or six seats for Milford.

■ They currently have one candidate in the psych phase, two candidates in the polygraph phase, and there are 12 candidates left to be interviewed and the to complete their background checks.

■ The hope is to get as many seats as possible in Milford. However, the Department is not the only department looking for seats. Milford has had over 90 requests for seats. So, the Department is hoping to get five or more.

■ They are continuing with their weekly training sessions so that way that they are physically fit and prepared for this academy when it comes up in April as well.

■ There are some career fairs coming up as well with some local universities. So, he is making contacts with them so the Department has a presence at the fairs. Although, the Department is not hiring right now, it's a good idea to put a name with the face and also to answer anybody's questions regarding the New Haven Police Department, the process and just letting people know what it takes to be a New Haven Police Officer.

■ Captain Zannelli thanked Sergeant Finch and Lieutenant Colon. They are extremely motivated and passionate about what they do and their staff is equally as hardworking. He just wanted to take the moment to just publicly thank them for all their hard work. Sometimes they are meeting deadlines and in crunch time for either hire or removal. Thank you for everything.

■ Commissioner Meares indicated that she wanted to point out a specific example, since this is a public forum, and folks are watching, the ways in which New Haven does a good job. And I've been especially impressed by Sergeant Finch in particular in this regard. She had been doing some investigation for other parts of our recruitment process and had a conversation with the person who used to run Philadelphia which is a very big police department. And people would end up getting excluded because they would show up for the physical agility part of the test, you know, wearing dress shoes and interviewing clothes because they didn't know that that's not what you are supposed to do. So, not only are we giving people lots of information about what to expect, but New Haven is actively preparing folks before they actually go through the process. And I wanted to just commend you for doing that, but also point out that even though that seems like just a logical thing to do, police departments all over the country and especially big ones don't even necessarily do that. So, good job.

■ Commissioner Ribeiro indicated that in spite of how busy it has been especially in the last couple of months, Sergeant Finch and his staff have really, really gotten together. So, thank you everyone, from the Chief down to the background investigators. Thank you so much.

EFFICIENCY COMMITTEE REPORT

■ Commissioner Meares indicated there was no Efficiency Committee Report.

FINANCE COMMITTEE REPORT

There was none.

OTHER BUSINESS

■ Commissioner Ribeiro indicated that per the bylaw, elections are to be held at the regular meetings in February of each year. At this meeting, the Board will elect a chairperson, a vice chairperson, will appoint a clerk/secretary, and will also appoint the following committees which are Efficiency, Finance, Recruitment/Selection, Bylaws and Rules of Order.

** Commissioner Meares moved to Nominate Commissioner Evelise Ribeiro to serve in another year as Chair of the New Haven Board of Police Commissioners.

** Commissioner Walker indicated that he would like to second that. In the year that Commissioner Ribeiro has been chair, she has been energetic, very thorough in the way she has done things. He thought she helped move the commission along in a very fine way. And they have got a lot done was a result of Commissioner Ribeiro being chair. So, he seconded the motion.

■ Commissioner Ribeiro thanked Commissioners Meares and Walker. She called for any other nominations.

■ Commissioner Brooks called for closing the nominations.

** The motion passed unanimously,

■ Commissioner Ribeiro thanked the commissioners for their vote of confidence.

■ Commissioner Ribeiro called for the nominations for Vice Chair.

** Commissioner Meares nominated Commissioner Donald Walker as Vice Chair, should he accept this nomination.

** Commissioner Lawlor seconded the motion.

■ Commissioner Walker accepted the nomination.

■ Commissioner Ribeiro called for other nominations.

■ Commissioner Brooks motioned to close on nominations.

** The motion passed unanimously.

■ Commissioner Ribeiro congratulated Commissioner Walker. She indicated she enjoys working with him as a team. A lot of people do not know, but they do talk behind the scenes just to ensure that they are at task. She indicated she looked forward to working with him once again.

■ Commissioner Walker thanked all the commissioners for their support.

■ Commissioner Ribeiro appointed Eva Perry-Lambert who currently serves as the Board's clerk/secretary to the position once again. Ms. Perry-Lambert could not be here this evening, but they will extend their appreciation and congratulations to her. She implored the Chief to extend her congratulations to her on the Board's behalf.

■ Commissioner Ribeiro indicated she would make the appointments based on the current makeup. However, if any of the commissioners choose to join a different committee or come off a particular committee, they should please reach out to her.

■ Commissioner Ribeiro appointed the following to the Efficiency Committee:
Commissioners Meares, Lawlor and Walker.

■ Commissioner Ribeiro appointed the following to the Finance Committee: Commissioners Miranda and Brooks.

■ Commissioner Ribeiro appointed the following to the Recruitment and Selection Committee: Commissioners Lawlor, Walker and Miranda.

■ Commissioner Ribeiro appointed the following to the Bylaws and Rules of Order: Commissioners Brooks and Miranda.

■ The bylaws state that there can be no less than two commissioners and no more than three commissioners on these committees. She hoped that the commissioners would continue to serve in those capacities. She would meet with new members of any committee to discuss their responsibilities.

** **Commissioner Walker motioned to go into Executive Session for the Purposes of Internal Affairs, legal matters and Personnel Matters**

** **Commissioner Brooks seconded**

** **Motion passed unanimously**

The Board entered Executive Session at 7:22 p.m.

** **Commissioner Brooks motioned to Exit Executive Session**

** **Commissioner Walker seconded**

** **Motion passed unanimously**

The Board exited Executive Session at 7:54 p.m.

** Commissioner Walker moved to Adjourn the Regular Meeting

** Commissioner Brooks seconded

** Motion passed unanimously

The next regular meeting will be on March 8, 2022.

The Board adjourned at 7:55 p.m.

Respectfully submitted,

Sotonye Otunba-Payne