



City of New Haven Civilian Review Board

Monthly Board Meeting Minutes

Date: January 23, 2023, 6pm

Minutes by Alyson Heimer, CRB Administrator

Approved by the Board: May 22, 2023

1. Attendance:

- a. **Present:** Acting Chair Rivera Berrios, Member Fawcett, Member Jenkins, Member Johnson, Member Pescatore, Member Richardson,
- b. **Absent:** Member Avshalom Smith, Member Carter, Member Counsel, Member Peralta
- c. **Guests:** Chief Carl Jacobson, Assistant Chief Bertram Etienne, LT Mk Colon, Al Lucas (BoA)
- d. **Members of the Public:** Mary O'Leary (press), Alyson Heimer (candidate for Administrator)

2. Approval of Minutes - None to approve.

3. Chief's Report - Chief Jacobson: Promotional ceremony was held on Friday, thank you to the members who attended that event.

Training: Question was received regarding the training that officers receive should include civilian perspectives for citizens with special needs. Gretchen Knauff, the Director of Disability Services provides training to new officers. And Anndrea Conner trains officers about Domestic Violence and brings in survivors who want to tell their stories. Francis Olive provides Procedural justice training. Stress management, substance abuse issues, suicide recognition training is given by a certified psychologist Mark Kirchner. Supervisor and Subordinate relations Jim Riscoti. Cultural awareness, civil rights, justice, and the history of policing is provided by a Professor from UNH, Lisa Daddiyo. Lorenzo Boyd from UNH trains on cultural awareness and anti-racism. Police in Law is Eric Deagle. We are also adding Kingian training - based on Martin Luther King, JR's principles of nonviolence and racial justice taught by Pastor John Lewis of New Haven with the CT Nonviolence Institute for a 32 hour course.

COMPASS also teaches a program for crisis response - COMPASS is the crisis intervention team, is coming to train the cadets as well. The people with COMPASS that teach

have prior substance abuse and judicial problems, lived experience, and they bring that understanding to the community when they serve now.

Member Pescatore: What other tools are used?

Chief Jacobson: we review body cam footage and ask the cadets what they would have done, what went wrong, so they can learn from it. We also have a followup process 6 months after training to see what was helpful and what was incorporated into their job. We also have officer trainers. Supervisors will review body cameras routinely to make sure policies and procedures are in place routinely.

Acting Chair Rivera-Berrios mentioned that its good to see police in the community, in the schools, reading to kids, and that relationship building should continue

Member Johnson asked for an expansion on sensitivity training.

Lt Colon: Following the recommendations of the President's Task Force, we now have a training called "Procedural Justice, Implicit Bias, Fair and Impartial Policing, and Cultural Sensitivity." Every two years these trainings are done with officers and this covers not only race and gender, but the implicit about professions, socioeconomic status, and where people live.

Member Johnson: does that include gender identity, women specific, domestic violence issues, etc?

Lt Colon confirmed that yes, that is all included.

Member Jenkins noted that as someone who works with special education its so important to recognize when people need advocates because they can't find a voice, and she appreciates bringing that training to the police force.

Chief Jacobson: We also take into account if people are deaf, or unable to communicate, because it can come off as non-compliant if officers are unaware. For the most recent class, 74% of cadets were minority and women, 25% were New Haven residents.

Member Richardson: What training has been implemented since the Randy Cox incident [when protocol was not followed and now someone is paralyzed].

Chief Jacobson: we put seatbelts in prisoner vans and only use the van for court transport. People are transported in a safer compartment with better restraint and camera. We instituted new general orders as well. We started ICAT, a new de-escalation program and the entire department went through that. We also use something called ABLE - active bystander training now where we train officers to de-escalate one another when an officer is treating someone poorly, move that officer away and report the problem. We only use the vans if there's a court run, so multiple people are transported, and everyone is seatbelted. The internal affairs investigation into those officers is ongoing.

Asst Chief Bertran Ettienne: We are also revising the transportation general order.

Member Richardson inquired on the sharing of best practices with the state level to ensure every department is doing the safest thing.

Chief Jacobson: Hamden put seatbelts in after our incident, stratford, and other towns.

Member Fawcett: the IA and investigator did a good job on that case in noting the prior corrections that officer has been advised to make.

Member Pescatore: The transport vehicle was over the speed limit. Is there any discussion about the speed?

Chief Jacobson: the reissuing of the general order, it included that all officers must obey the speed limit, seatbelting, and the manner in which we treat people. If we had listened to

Randy Cox's voice, we might have avoided that. We need to treat people with dignity, and that's required to build trust with the community.

Member Johnson: how do officers debrief. It's a highly stressful job and sometimes may make statements or reacted poorly because they were under stress. Do they talk to their supervisor. Some of the complaints that come in are that officers shouldn't speak to people a certain way, or act a certain way, and if there's daily de-stress it might be helpful.

Chief Jacobson: major incidents get debriefs, and a twice a year therapy session. There needs to be scheduled time where we show them that we need to take care of them also.

Asst Chief Ettienne: we also have had a lot of incidents lately and when you respond to a lot of homicides then if there are individuals who need a break we will give them a mental health day.

Chief Jacobson: in reference to checking on members of the community after an incident, the police department has knocked on doors with the officers and supervisors, lieutenants and sometimes chiefs - paired up with someone from Yale Child Study, Clifford Beers to each door, especially after a shooting - even if no one got hurt. And the community is thankful that we stopped by to do that check. The officers knock on the door and the others are support staffing behind us to build that relationship.

Asst Chief Ettienne: officers assigned to a regular beat spend time knocking on doors and build relationships by making sure the people they serve are okay, not just after an incident but routinely

Member Jenkins: we had an incident where a family member of someone who runs a daycare had to close the daycare to respond to their family emergency. Would the police go and talk to that family, to the kids in the daycare, and explain what happened, what the police do, etc?

Chief Jacobson: I will follow up about the daycare on Tilton Street and the District Manager should already know those kids from doing his beats, so the goal is that if he goes to visit after the incident its a familiar face already coming to check in. The officers give out their cell phones to people in the area. And more cops from New Haven help build those relationships.

Member Richardson: There is trauma in the community and past interactions have left people traumatized, so it concerns me that some officers seem to not know that there is this trauma hanging over folks. Happy that there is progress, but the community had been affected in a negative way - and we are supposed to be representing those individuals who put in the complaints. But people are not really comfortable going to the police department to make complaints. And are there any efforts that would be made to change how we can go to IA to review this process.

Acting Chair Rivera-Berrios redirected the conversation as not germane to the topic

Chief Jacobson stated that one of his goals when he became a police officer was to help people, and it took a while to see that police action of the past had traumatized people. My goal is that we have a police department that doesn't add to that trauma. We can't release the documents, but maybe we can meet up with the documents at city hall instead. But the CRB needs to come up with a policy and procedure where it's available offsite. It's important for us to build community trust and move forward.

Member Johnson: Does COMPASS work with families that have been traumatized after an incident? It's good for NHPD to have outside advocates and organizations come along.

Chief Jacobson: If we go to a call and we need COMPASS, we can bring someone in who is better than the officer at trauma and other issues. The Board asked for the creation of the community crisis response team, and to make sure officers feel comfortable asking officers who are out of line to step aside. Having COMPASS now is very helpful, so we can talk to someone, make sure they aren't armed, and then call COMPASS in to help respond. We are in line with what the board wants from us and he is happy to come to additional meetings to discuss future topics.

4. Internal Affairs report

(Submitted and sent by email from Lt Colon for review before meeting)

a. Closed cases

i. 21C-057

Received: 8/4/2021

Summary: filed against three officers, three complaints were filed by the complainant (Cunningham). One officer is now deceased and one officer is no longer with the department. Cunningham was incarcerated following the complaint and attempts were made to get additional statements.

There was reliable information that a male who resembled Cunningham was selling drugs out of his vehicle. He was arrested for misuse of a marker plate on the vehicle. After a search, Cunningham had a firearm in his pocket. The body worn camera was decided to be unfounded.

Disposition: Unfounded

Discussion: Member Pescatore asked for the definition of misuse of a marker plate. LT Colon stated that this usually occurs when a vehicle uses a license plate or tag that is registered to a different car.

Member Richardson asked about the attempts made to contact the individual while he was incarcerated. The letter that was sent, was it sent to his home or in jail? How many attempts were made? LT Colon said there are 6-8 emails trying to make appointments and set up an interview to discuss this issue. Mr. Cunningham did not attend any of those interviews. The Department of Corrections (DOC) was supposed to bring the person to the interviews. Asst Chief Ettienne spoke to the differences between facilities where inmates can choose not to speak to police. Cunningham had the option to go to his Counselor and request to speak to IA. Member Richardson asked for the documentation showing a decline to comment. Asst Chief Ettienne does not have documentation.

Member Johnson also wants to see proof that the complainant declined to speak. LT Colon would need to request that from the DOC. The case files show that several attempts were made by IA. Asst Chief offered a solution that in the future if an inmate declines to talk the officer will get a copy of the DOC form denying the request for the file.

- ii. 22C-041
Received: 6/1/2022
Summary: Richa Thompson filed a complaint against officer Valente alleging that the officer inappropriately touched her. White, the daughter has called police to the Thompson residence for a custodial dispute. The officer completed a pat down for both parties, which was standard procedure based on a comment from one of the individuals that they were “locked and loaded.” The sergeant was called to the scene.
Disposition: Unfounded.
Discussion: none.

- iii. 22C-041
Received: 4/5/2022
Summary: Robin Douglas filed a complaint for an incident on 10/15/22. Handwriting was not legible but mentioned that Officer T. Vitale and Pazsak as well as an illegible name placed her under arrest and made her lose her “services and energy”. SGT Fennessy asked her to come in for an interview but also told her that she had an active warrant and “not to be surprised if she came in.” Body cam footage of the call after Douglas allegedly assaulted another female led to her arrest, but she was transported to the hospital after claiming she was too weak to move via a stretcher. No force was used, she had an on-site charge and two active warrants.
Disposition: Unfounded
Discussion: None.

- iv. 22C-044
Received: 6/10/2022
Summary: Complaint filed against officer K Hoffman by Alisa Laureano that the details of a motor vehicle accident were not documented properly. Laureano claims she was not at fault but the officer told her that she was. Camera footage from the area where the accident occurred and from the body cams concluded that the complainant was indeed at fault.
Disposition: Unfounded
Discussion: None.

b. General questions about statistics

- i. No discussion.

c. Use of force statistics

Member Pescatore: in the past 3 years, there was only one canine incident. Is this for a use of a canine or a complaint against a canine?

Lt. Colon: this is charting canine bites as a use of force. Every time we deploy a canine for a search or in response to narcotics or any other incident. We record those stats separately. Member Pescatore: it would be helpful to see how often canines are deployed vs bites that occur.

Member Johnson: Thank you for taking my laundry list of requests for cases to view, and I was hoping you could share with the Board why I wasn't able to see some of those.

Lt. Colon: some of the cases were not closed yet by Internal Affairs, so we cannot show you the files until the complaints are closed by IA. Some of the files you were interested in were Internal complaints, and we sometimes put those on the closed case summary, but the CRB does not have jurisdiction over those. We are also working on other places to view video and case files. Asst Chief Etienne is working with city officials to set up an off-site location but we don't have those details yet.

Member Johnson: How do we know which cases are closed each month?

Acting Chair Rivera-Berrios: We send the list of what cases are closed each week and each month, but we can make sure all the cases that close are sent out before the monthly meeting and we can try to do a weekly update each Friday as well.

Asst Chief Etienne: We appreciate everyone's willingness to learn about our procedures. We have a tentative date for the next training of February 25th.

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

None.

6. Attorney update and Update on Remote access system

Attorney Lamarr was not present. She sent the Acting Chair an update with the following notes: Online access to case files for board members to review won't be coming online for 6 months to a year. The police and CRB are on the next round of remote files access that corporation counsel is implementing right now.

Member Johnson: What is the remote access system?

Acting Chair Rivera-Berrios: It is the system that would enable us to review case files from home and not go down to IA.

8. Administrative update

a. Questions for Alyson Heimer based on packet shared with members (present)

Acting Chair Rivera-Berrios: Alyson Heimer submitted the only complete RFP and she is here to answer any questions.

Member Jenkins: Can you do a short recap of the position?

Acting Chair Rivera-Berrios: Yes, we requested a proposal for someone to handle the backlog of the minutes and for administrative services like sending agendas and minutes and doing paperwork.

Alyson Heimer: also works on the Democracy Fund Board, writes minutes and agendas, annual reports, handles public correspondence, as well as trains individuals who use that program. Helps plan mayoral debate, and does public outreach. Used to be a member of the old version of the CRB.

Member Johnson: this appears to be similar to what Ms. Emma said she would contribute to the Board so why was the request put into an administrative assistant?

Acting Chair Rivera-Berrios: I put out an email about what Emma wanted to do and there were several things she wanted to do as the consultant and also said she would not do. So the RFP was put together to cover the secretarial things that Emma said she would not do. But they are two separate positions.

Member Johnson: some of the things that Ms. Emma is qualified to do, are included in this packet.

Acting Chair Rivera-Berrios: let's go through those; 1) schedule, notice and prepare agenda or monthly meeting, 2) manage virtual or in person meetings, 3) minutes, 4) write the annual report and handle financial audit.

Member Johnson: The media correspondence and outreach to the community is a concern.

Acting Chair Rivera-Berrios: I agree with that, number 5) handle board member election public relations and media outreach as assigned by the CRB. Maybe number 5 we can have a discussion about. 6) assist with legislative affairs and sub committee priorities as they arise.

Member Johnson: That's also a concern. I think number 6 should be deleted as well.

Acting Chair Rivera-Berrios: We can add it to number 2) manage subcommittee and regular meeting agenda, minutes and online or in person meetings.

Member Johnson: member 5, 6 and 7 are consistent with what Ms. Emma said she would do, but is there a way we could pull up what the consultant proposal was?

Acting Chair Rivera-Berrios: Member Richardson, did you have a question while I pull that up?

Member Richardson: in Ms. Emma's proposal she had put together she had included an investigator, an administrator, and a lawyer. So I feel like we are skipping over a step in hiring the consultant before hiring the Administrator?

Acting Chair Rivera-Berrios: So we voted on the RFP last year and it went out and this is the response we got for it, we already voted to move ahead with the hiring of an administrator.

Member Pescatore: Ms. Heimer, you appear qualified to do what we need you to do as an Administrator. Have you been on the call since the beginning of the meeting?

Alyson Heimer: yes.

Member Pescatore: Can you give me an idea of how long writing up the minutes would take for a meeting like this? What kind of minutes would you produce?

Alyson Heimer: There are a few different styles of minutes and it depends on what the Board wants- I can do a full transcript but it seems like a better option for this board might be to highlight action items, like the requests Board Members make of the NHPD staff, and to summarize longer conversations to narrow them to the substance of the conversation.

Member Pescatore: Thanks for that, we may discuss as a board how detailed of minutes we want to reflect the work of the board. As for the contract, if we limit items now it may be harder to ask more of the Administrator in the future. This contract doesn't prevent us from having overlap with Emma, and when we establish a contract for a consultant it might be better to have a little overlap so they can work together in the future. We should keep it open so they can collaborate. A broad scope for the consultant is still possible.

Acting Chair Rivera-Berrios: I added the consultant proposal to chat for review.

Member Jenkins: Question for Alyson - you mentioned you served on the CRB in the past. How did the former CRB operate? Was there a secretary?

Alyson Heimer: We had a paid coordinator who handled the minutes and agendas. He also helped us access IA in the evenings to make it more convenient for board members to review cases. He also helped with official correspondence and he staffed the investigative subcommittee and worked with the NHPD to give us stats and reports. He kept an eye on the press and notified us when he saw something that we might have to eventually investigate as a Board. As for the scope of services, it's intentionally broad and uses terms like "assist as directed." If the board wants me to help with things like legislative matters, I will. If you want me to sit back that's fine too. I'll take a lead role if you want me to, I have worked at the state legislature and I have legislation in front of the Board of Alders now on behalf of the Democracy Fund so I know how to do it, but I will only do as directed by you.

Member Johnson: I reviewed what was put in the chat and its not clear --

Acting Chair Rivera-Berrios: Does anyone else have questions for Alison before we move on and then we can have a discussion on Ms. Emma. Seeing none, Thank you Alyson. We can't vote on this issue because we only have 6 members and don't have a quorum (7). This is not the first meeting where we have not had quorum and so we can absorb what Alyson has presented.

- b. Status of hiring Administrative staff (voting) - unable to vote due to lack of quorum.

9. Nominations/Voting for Secretary

Unable to vote due to lack of Quorum

10. Discussion on active participation (reading emails, investigating cases at IA)

Acting Chair Rivera-Berrios: We do not have a quorum, so it is important to come to meetings and fully participate. I sent out a list of options for Emma and we can't vote on it since not everyone is here:

Chat: This is what was sent to everyone a few different times after I spoke to Emma in detail her and I both wrote this up together.... These are CRB items to consider and ideas for the CRB to ponder about. I want the CRB to have options to consider and want to ensure everyone has a voice. Please review and think about your feelings for our next meeting. IDEAS....-Welcome Emma Jones as a volunteer to provide advice and direction to the CRB-Develop a relationship with Emma Jones so she can be a non paying Consultant-Develop a paying contract with Emma Jones as a Consultant-Welcome Emma Jones as an At Large Member of the board (we currently have no At Large Member)-Determine if Emma Jones could be a Consultant while also being a Board Member (it should be noted that I was told that no member can work for the City of New Haven and be a board member but since the Mayor is on the Board of Education this is something to be discussed...)

Member Johnson: We can't have a discussion or take a vote?

Acting Chair Rivera-Berrios: No because of quorum. So we will have to put all these things on the next agenda and have full participation. We can't act on it tonight.

Member Fawcett: I'm frustrated that I come to meetings, we get halfway through and then can't act on anything. I'd like the board to do more. I'd like board members to go to IA and

review the cases. I go to IA at 10am on Fridays so more of you should do that. We should take more interest in what we're doing.

Member Jenkins: I go down to IA with Member Fawcett on Fridays. How many members have resigned? Do we have to wait for new members to do anything?

Acting Chair Rivera-Berrios: New members will be appointed within the next few months.

Member Jenkins: Do we have to table all of these items until we have new members? I'm not in the habit of chasing grown folks.

Acting Chair Rivera-Berrios: Members who are resigning need to submit an official resignation, they don't get replaced until they officially step down. We need to move forward and build contracts with the Coordinator, Administrator, Lawyer and Investigator, and we need to keep having subcommittees to review cases.

Member Jenkins: The standstill can't happen but we need current members to be on the same page.

Member Johnson: Can we send a letter to members who are not showing up and tell them that if they don't show up that serves as their formal resignation?

Member Pescatore: The bylaws say if someone has missed three consecutive meetings then they are automatically vacant seats. I think if we have 6 members and only 10 members on the board then this might be quorum.

Acting Chair Rivera-Berrios: The bylaws say 7 for quorum.

Al Lucas: via chat - the bylaws specifically say 7.

11. Discussion of complaints and reports

12. Public Comment on Complaints and Reports - None

13. Recess to Executive Session, if appropriate - None

14. Act on complaints and reports

Not possible without quorum.

Member Johnson: why is member Fawcett being sent the reports from IA?

Acting Chair Rivera-Berrios: She volunteers to help with that secretarial duty until we have an Administrator.

15. Adjournment was not voted on due to lack of quorum. All members left meeting at