



## City of New Haven Civilian Review Board

### Subcommittee Meeting on 22C-070

May 8, 2023

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Date: May 8, 2023 at 7pm

Minutes by Alyson Heimer, CRB Administrator

Approved by the Board: May 22, 2023

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#### 1. Call to Order: 7:07pm

##### Attendance:

- a. **Present:** Acting Chair Rivera-Berrios, Member Counsel, Member Johnson, Member Richardson.
- b. **Absent:** none
- c. **Guests:** Alyson Heimer, Administrator
- d. **Members of the Public:** Mary O'Leary (Press)

#### 2. Discussion on Case 22C-070

Member Counsel: The passerby who witnessed the accident said he was already in the street and then hit by a car, but no one saw how he originally got into the street. The complaint of a non thorough investigation doesn't seem like he didn't investigate fully, he went to look at houses nearby and see if anyone saw anything and he asked for Ring doorbell footage, which didn't show anything. There was no protocol for him to follow and the NHPD didn't pull in a reconstruction team because he wasn't a fatality. To blame the officer seems unfair, the department should have put a plan in place for an accident this tragic.

Member Rivera-Berrios: the team would only come if it was a fatality, but for something like this, it would have been good to have a process in place for a reconstruction team in place for an incident of this level.

Member Counsel: Was the second woman who was a witness got a plate?

Member Rivera-Berrios: She (the witness) didn't sound like she wanted to get overly involved, but wanted to say what she saw. She didn't have the plate in the video. The officer followed the instructions he had been given about how to investigate a scene when there is no fatality, and he looked at the close vicinity.



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Johnson: The officer only looked in that area for camera footage.

Member Richardson: it looked like they did all they could do at the scene. But the issue is that the victim was coherent and in the hospital waiting for officers to reach out to him, and it seemed like he had to reach out to the officer. It seemed like the police weren't as diligent as they could have been because he didn't die. But just because he didn't die shouldn't mean they investigate less. But they waited so long to get the footage from the school, that the cameras recorded over the footage. Sunchild (the complainant) feels that he has permanent life injuries and the investigation wasn't thorough enough.

Member Rivera-Berrios: What is your recommendation?

Member Richardson: They should have followed up sooner. When were they going to get in contact with him? They didn't speak to him for 41 days. They had the resources to do it, because they have things they could have done if Sunchild had died.

Member Rivera-Berrios: So he woke up in late June from the coma. And the officer had sent a message to the hospital staff.

Member Richardson: The hospital staff notified the police when he was awake, and there was a period of weeks when he was in a rehab facility and no one called him.

Member Counsel: the reconstruction team should have been called in if the victim was in a coma. That call should have been made that night.

Member Richardson: the officer should follow up in a timely fashion. A canvass should have been done immediately to get all available footage - including to the school. That should have been the officer's job. The officer spent time to go to the homes but by the time he got to the school for that footage it was too late.

Member Johnson: The fresher the information the better. They should have notified the school immediately.

Member Richardson: they should have told the school to pull the footage in the morning the day after the incident.

Member Johnson: I still say immediately because you never know what can happen 24 hours later. Overtime should be offered to complete the canvass.

Member Rivera-Berrios: If there's a shift change the follow-up should be passed to the next shift.

Member Johnson: When the officer looked for the ring camera footage he went to the front door and back door - he should have left a card.

Member Rivera-Berrios: maybe they could create a door hanger or card that explains why the resident needs to call them.



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Member Johnson: the police should check the land records and get phone numbers when they need camera footage for specific addresses.

Member Richardson: what was the finding for the complaint?

Administrator Heimer: the result was that the complaint was sustained for a paperwork issue - the original complaint was decided to be unfounded. The investigation found other misconduct related to collection and reporting of details related to the case, which was sustained.

Member Richardson: Even if Mr. Sunchild didn't have more information to give, some evidence was lost due to the length of time it took to investigate - the video camera footage was lost because the tapes were recorded over. Change the decision to validate the complainant and validate his experience?

Member Johnson: Sunchild said he didn't remember anything, but was he revisited after the traumatic brain injury to see if anything came back from the night? Were the officers diligent enough to ask again.

Member Rivera-Berrios: in the event of an accident with head trauma or memory loss, officers should revisit the individual at a later time to see if parts of what happened or the event has come back.

Member Johnson: Sunchild was worried that if he had been spoken to earlier he may have remembered something that he forgot later on. If there's someone with a lapse of memory the case should be kept open a little longer.

Member Richardson: They hadn't reached out to him and he's sitting in rehab waiting for the police to reach out - so they may have closed this case before they even spoke to the victim.

Recommendations:

1. Reconstruction team to be activated when a tragic accident occurs.
2. Investigate incidents fully when there's any incident where the victim doesn't die but is gravely injured.
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 decision 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.

**3. Adjournment 7:49pm.**