



City of New Haven Civilian Review Board

Monthly Board Meeting Minutes

March 28, 2022

Date: March 28, 2022, 6:00 pm

[March 2023 Agenda](#)

Minutes by Alyson Heimer, CRB Administrator

Approved by the Board: DRAFT

1. Call to Order:

Attendance:

- a. **Present:** Members Counsel, Crouse, Hamm, Fawcett, Jenkins, Pescatore, Rivera-Berrios, Ross-Lee
- b. **Absent:** Members Avshalom-Smith, Carter, Johnson, Peralta, Richardson, Wingate.
- c. **Guests:** Captain Zanelli, Sgt Fennessy, Al Lucas (BoA), Catherine LaMarr (Corp. Counsel).
- d. **Members of the Public:**

2. Approval of Minutes -

Crouse: No minutes were taken or received for February.

Lucas: Corporation Counsel asked for minutes to be more detailed to include motions and how people voted.

3. Internal Affairs report

Sgt Fennessy will be presenting on behalf of LT. Colon.

A. 21C-087

Received: November 8, 2021

Summary: Complainant James filed a complaint stating that the officers arrived 1 and ½ hours after initially calling, and information was missing from the police report. She also stated they did not get her statement. Incident was a stabbing and it was determined James should be arrested as the perpetrator. Another call was also made the same day about a car accident between these two individuals. BWC and officers statements showed that he did take a statement.



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Determination: Unfounded.

Discussion: None.

B. 21C-091

Received: November 21, 2021

Summary: Nunez is the complainant against Officer Saivadi, who stated that she was unlawfully arrested and that the officer should have arrested her partner, Alexis for assaulting her son but did not do so due to his law enforcement status. The partner, Alexis, had flashed his badge at Salvadi during the call and the officer's BWC shows that Salvadi stated he did not care about that. Both individuals were given a summons.

Determination: Exonerated.

Discussion: None

C. 21C-074

Received: September 28, 2021

Summary: Complainant Caruba documented in his complaint issues with New Haven Police in general for failure to take his noise complaints seriously against the residents of 638 Whalley Ave. The calls were reviewed related to 3 calls related to noise in 2021, three in 2020, and one in 2018, by various individuals. The calls were held as low priority for hours by dispatch. When officers arrived on scene the noise was no longer occurring. The complainant did not ask to speak to an officer and no reports were generated. It was explained to Caruba about how priority works and Caruba was told to keep calling but ask to speak to an officer directly.

Determination: Closed.

Discussion: None.

D. 21C-101

Received: December 11, 2021

Summary: Complainant Reed filed a complaint against two officers who had come to her house multiple times for domestic disputes. The complainant had complained that her concerns were not being taken seriously when she called the police to file a report and document her neighbor screaming out the window at her, but not press charges against the neighbor. A report was filed and attempted to reach out to the neighbor. Review of the officers conduct revealed no misconduct

Determination: Withdrawn.

Discussion: None.



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E. 21C-104

Received: December 20, 2021

Summary: Kendall Herse filed a complaint against officer Ramirez who had pulled them over for talking on his cell phone. He admitted to talking on his phone for emergency purposes. He claimed that police are always talking on their phones for personal business and claimed profiling based on the type of vehicle that he was driving. The officer in question was on duty to monitor traffic flow and issue infractions. The complainant claimed the motor vehicle was only pulled over because he was profiled. BWC showed no evidence that the stop was conducted due to any other reason than he was seen to be on his phone.

Determination: Unfounded.

Discussion: None.

F. 21C-086

Received: November 7, 2021

Summary: An anonymous complaint was filed against officers Burkett and Savo who were specified to be DEA or special investigation officers. The claim was that officers were using an informant who was actively selling drugs and weapons in New Haven and officers were tipping off the informant about upcoming arrests and allowing that person to continue their operations in exchange for information. IA reviewed all active informants, and believes this complaint to be an instance where someone who was arrested was attempting to uncover the person who they felt had "snitched" on them.

Determination: Unfounded

Discussion: Hamm: What is going on here - why would an anonymous complaint come in and then need a description explaining away the complaint?

Capt. Zanelli: When we do investigations with federal partners, there are sometimes complaints filed with the hope that an informant's name may be revealed and subsequently FOI-able.

G. 22C-007

Received: January 23, 2022

Summary: The complainant, Ms. Dou, who lives in CA, filed against two officers on behalf of her tenant. The complaint alleges that officers did not do a roadside sobriety test on an operator who crashed into a property where the tenant resides and that officers instead flirted with the vehicle operator. The fire department was also never called to check for leaks after the car hit the house's gas meter.

Reviewing BWC revealed no indication of the presence of alcohol. Footage



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reviewed showed professional conduct. He was informed that next time he should contact the gas company.

Determination: Withdrawn

Discussion: None.

Crouse: There are some discrepancies with the complaint time stamps and when cases are received.

SGT Fennessy: those delays are usually due to complaints being filed on a weekend.

Crouse: for the stats report - number of complaints listed says 106, but I only have 105.

SGT Fennessy with double check.

Disciplinary Breakdown and Stats Report:

Crouse: why is there a huge increase in officers who have incomplete reports and received discipline and suspensions this year? Some are in abeyance.

Captain Zannelli: There was a major audit that showed around 50 officers had incomplete reports or warrants and there have been waves of discipline related to those findings this year. The abeyance is because we can't have 50 officers out all at once.

Crouse: is there a way to separate out the data to show what discipline is related to IA investigations and findings and what discipline is related to routine operations and departmental procedure?

Captain Zannelli: We can put a moniker under the disciplinary outcomes to show the difference.

Hamm: I noticed a lot of cases from last year are still pending and not many of them are unfounded - is there a pattern here that we should be concerned about?

Captain Zannelli: We do not have set thresholds for case outcomes and it does take a while to investigate all of the complaints and cases thoroughly. We had an unusually high number of serious investigations that came to IA at the end of last year, like the death of officer Castellano in Las Vegas. We had some officers arrested off-duty in other districts, some domestic abuse issues. And the Internal Cases are taking a lot of time.

Hamm: You mentioned that some cases were recently sustained and awaiting discipline. Why wouldn't we be able to see those cases now and weigh in on discipline?

Captain Zannelli: I will research a better answer.

Use of Force:

Crouse: there is an increase in showing of firearms this year, what accounts for that?

Captain Zannelli: We have had an increased number of firearm busts recently and when 5 officers are at a high risk bust and show their weapons, each must complete a separate use of force report.

Crouse: the amount of force seems to be trending upwards over the last 4 years.



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Captain Zanelli: We are improving our record keeping and that will add to the stats. Things are paperless now and easier to file. Use of batons, tasers, etc are all down over time so we prefer the over reporting of issues and because it helps to show patterns, and the new officers are better trained to report now. We've also been encouraging officers to report use and displays of force even when they aren't certain that it counts.

Crouse: it would be helpful to also see how many interactions police have with civilians over all so we can see if this increase is associated with more people interacting with police recently.

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

None.

Members of the police department left at this time.

5. Subcommittee reports

- a. 20C-082 (Counsel, Jenkins, Wingate, Fawcett, Ross-Lee)

Member Jenkins met with member counsel and there were no reports at IA for the case. Jenkins requested assistance with setting up the official email so she can receive the appropriate files. Wingate was unresponsive to any requests about the subcommittee. Wingate was removed and Chair Ross-Lee asked for two more volunteers to this subcommittee.

Tabled.

6. Unfinished business and General Policy Items

a. Executive Committee's meetings with Corporation Counsel

Crouse: The Executive Board met with Pat King and Catherine LaMarr to address issues with compliance for minutes, agendas and other documentation. We need to be adding vote counts, case report numbers, detailed attendance and other records to the minutes.

Rivera Berrios: Also it is imperative that members use their NHCRB emails through the city to avoid compliance issues.

Crouse: Atty LaMarr will also be looking at our bylaws and ordinance to try to navigate conflict with police department procedure about seeing case files and I-type cases.

Attorney LaMarr: I will be responding in writing, and need to continue to look into a few things.

Ross-Lee: Thank you Atty LaMarr for engaging with us and putting us on the right path.

b. Access to IA Files

Crouse: the Executive Board also met with Corp Counsel to discuss access to case files, court records, and to compare the New Haven and Hartford models.



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c. Subcommittee procedures.

Hamm: I had sent Atty LaMarr a detailed description of how we are currently operating the subcommittees to ensure we were compliant as there was no formal structure set up in the bylaws.

Crouse: The Alders would need to look at that after we have suggested language to update the ordinance with things that will make our processes more clear.

LaMarr: I recommend talking to all the stakeholders before presenting proposed changes to avoid any conflict.

d. Google Drive Documents

Crouse: we have a permanent link for a description of how to navigate the drive and access exactly which case you're looking for or get a summary of the closed and investigated cases. The city operates and exists on Microsoft, so we could move everything to One Drive if we needed to. This is open to the public. [The Read-Me document](#) is in the main file of the drive.

7. New Business

a. Absences and vacancies

Crouse: we are supposed to report to the Board of Alders if members have missed two consecutive meetings without notice. Avshalom-Smith is excused, but for Wingate this is his second meeting missed without letting us know.

Ross-Lee: as we were told that Avshalom-Smith was replacing Wingate, but he was also appointed to relieve Wingate and to represent his ward - what is his exact role here? Aldermanic representative or neighborhood representative, or is he at-large?

Al: Alder Wingate is no longer the Aldermanic Representative and Avshalom-Smith has replaced him, and leaves the at-large vacancy to be filled. The BoA voted on him already at the beginning of the year.

b. Review committees

Crouse: we have 13 cases from last year that had no subcommittees but that did not get determinations or get reviews. Did we want to hear any of those cases?

Ross-Lee if we did not have any members who wanted to create a subcommittee then the Board accepted the IA report as it stood.

8. Discussion of complaints and reports and vote on new cases to review

- a. 21C-087 was proposed for further investigation by Member Hamm. It was a chaotic scene and a wrongful arrest was claimed and we should investigate that.



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- b. 21C-091 was proposed for further investigation by Member Hamm. Domestic violence case with a wrongful arrest, very similar to the previous case, and it should be investigated.
- c. 21C-086 was proposed for further investigation by Member Hamm. I want to see how the IA investigation proceeded and want to make sure there are no incidents of playing favorites with informants.

d. Withdrawn Cases

Crouse mentioned that the Board agreed in May 2021 that we would investigate any withdrawn cases. Does the Board want to continue to do that at this time?

Ross-Lee is it a review of the case or a review of the withdrawal.

Richardson: We want to review those to make sure there was no withdrawal based on intimidation.

Johnson concurred with looking at withdrawn cases: 21C-101 and 22C-007.

Rivera-Berrios: in the past we had Emma contact them instead of a subcommittee. Should that be done again for these?

Ross-Lee: The managing consultant will contact the complainant to ensure it was withdrawn properly.

Richardson, can we add 21C-089 from the previous meeting.

Hamm: if Emma is not at a meeting or doesn't respond, as tonight, we should have the subcommittee do that outreach.

9. Public Comment on Complaints and Reports

None.

10. Recess to Executive Session, if appropriate

Not required.

11. Return to open session after Executive Session

12. Act on complaints and reports

- a. **Motion to investigate 21C-087 by Hamm, Ross-Lee seconded.**

Counsel: Yes

Crouse: Yes

Hamm: Yes

Fawcett: Yes

Jenkins: Yes

Johnson: yes

Pescatore: Yes



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Richardson: Yes
Rivera-Berrios: Yes
Ross-Lee: Yes
Unanimously approved. 10-0-0.

Committee: Hamm (Chair), Johnson, Counsel, Pescatore

b. Motion to investigate 21C-091 by Hamm, Ross-Lee seconded.

Counsel: Yes
Crouse: Yes
Hamm: Yes
Fawcett: Yes
Jenkins: Yes
Johnson: Yes
Pescatore: Yes
Richardson: Yes
Rivera-Berrios: Yes
Ross-Lee: Yes
Unanimously approved. 10-0-0.

Committee: Crouse, Ross-Lee, Pescatore, Fawcett (Chair)

c. Motion to investigate 21C-086 by Hamm, Ross-Lee seconded.

Counsel: Yes
Crouse: Yes
Hamm: Yes
Fawcett: Yes
Jenkins: Yes
Johnson: Yes
Pescatore: Yes
Richardson: Yes
Rivera-Berrios: Yes
Ross-Lee: Yes
Unanimously approved. 10-0-0.

Committee: Hamm (Chair), Richardson, Johnson, Rivera-Berrios

13. Adjournment motioned by Johnson, seconded by Pescatore. Meeting adjourned at 8:02pm.