

**SPECIAL SESSION MINUTES  
JANUARY 16, 2020  
BOARD OF POLICE COMMISSIONERS  
NEW HAVEN, CONNECTICUT**

**PRESENT:** Commissioners Anthony Dawson; Kevin Diaz (via telephone); Evelise Ribeiro; and Gregory Smith

Chief Otoniel Reyes: Department of Police Service  
Assistant Chief Renee Dominguez: Department of Police Service  
Assistant Chief Karl Jacobson: Department of Police Service  
Lieutenant David Zannelli: Department of Police Service  
Ramon Davis: Administrative Assistant II

Michael Wolak, Esquire: Senior Deputy Corporation Counsel

David Dander  
Miguel Pittman, Sr.: Community and Police Relations  
Rodney Williams

**OPEN SESSION**

The meeting was called to order at 6:04 p.m., Anthony Dawson, Chair, presiding.

**DISCUSSION AND APPROVAL OF MINUTES**

Regular Session Minutes of December 10, 2019.

- \*\* Commissioner Ribeiro moved to Approve the December 10, 2019 Minutes
- \*\* Commissioner Smith seconded
- \*\* Motion passed

**MOTION TO AMEND THE AGENDA:**

- \*\* Commissioner Smith moved to Amend the Agenda for the Chief's Report to be Heard Out of Order
- \*\* Commissioner Ribeiro seconded
- \*\* Motion passed

**CHIEF'S REPORT**

Chief Otoniel Reyes

■ Chief Reyes began by thanking the commission for their consideration. He stated that he would stay as long as he could as he had a community meeting scheduled for 7:15 p.m.

- Chief Reyes spoke about the crime statistics. Presently, there are no homicides. Last year at this time there was one.
- There have been 12 combined robberies. There were 10 at the same time last year. There have been two non-fatal shootings and there were none at the same time last year.
- There were nine aggravated assaults and at the same time last year there were 14. There have been six shots fired and at the same time last year there were four.
- In 2019 in total there were 12 homicides and 78 shootings. The goal is to do much better than that 2019 and get closer to the numbers in 2018. The focus will continue to be violence reduction moving into 2020 and capitalizing on partnerships with both the community and law enforcement.
- One of Department's goals is to strengthen Project Longevity enforcement. Project Longevity call-ins have been scheduled for Wednesday, February 19<sup>th</sup>, 2020. Chief Reyes extended an invitation to the commissioners. The official presentation begins at five o'clock.
- This month there are a number of visitors scheduled to visit the Department from various parts of the state and the country including chiefs from other law enforcement agencies to see what the Department is doing. They will also be attending the call-ins.
- There were visitors from Albuquerque, New Mexico earlier this week. They came in with a large contingent of people, about 17 members of law enforcement, state attorney's office, U.S. attorneys, members of the political spectrum there, including the mayor. It was a very successful visit and engagement.
- Personnel from Miami are coming next month.
- The Department has a lot of work to do in the criminal justice realm not just New Haven but nationwide. The goal is to improve policing as a whole as much as possible.
- The singular most important issue beyond crime reduction is replenishing the force for 2020. The Department is down 90 sworn personnel and throughout the various ranks. The number is further exacerbated by the fact that some of the remaining officers, counting those officers on light duty or officers out as a result of injuries, put the Department at a greater deficit.
- The recruitment efforts are ongoing. There are 150 current applicants remaining in the background process. The Department will be asking for 17 additional conditional offers to go out to complete the list.
- The Department will be announcing a full-fledge recruitment effort in the upcoming weeks.
- The goal this year is to have as many classes as possible to try to fill in the ranks. There should be a class in the middle of April. The plan is to have another class sometime in the summer.
- Chief Reyes added that the Department is finalizing its policy for reinstatement. The Board will be provided a draft of this policy. Some officers separated from the Department have expressed their interest in returning. The Department hopes to rehire some of these officers.
- Captain Duff has begun his full road back. He started on light duty on January 15, 2020. He did line-up. It was quite an emotional time. The Department is happy to have him back.
- Clergy Academy is slated for the 30<sup>th</sup> of January, 2020 or the first week of February barring any technical issues. The Citizens Academy is estimated will begin about a month later.
- The Department is planning its award ceremony for February, but no later than the beginning of March to acknowledge the officers and civilians who stood out in 2019.
- Commissioner Smith asked about when the classes will begin in April. Chief Reyes replied that they had the third Monday in April. It is a tentative date, however.

■ Commissioner Dawson asked if more applications came in. Chief Reyes said the application process had not been opened up. There are 17 to complete the list from the previous list in order to exhaust that list.

■ Commissioner Dawson asked about what academies will be used. Chief Reyes said the Department will be taking advantage of some slots at POST and Milford and complimenting with its academy, staggering the academies.

■ Commissioner Smith asked how University of New Haven ties in to the academy class. Chief Reyes stated the university had put a proposal together in order to get approval from POST to have an accredited program where they can be a feeder for police departments. It's in its infancy. There are some things that need to be worked out both at the local level with Civil Service and on the state level with POST requirements.

■ There is a robust conversation about UNH piloting such a program where they would do a lion share of the academy portion, the academic portion of the academy. The Department would still be responsible for a portion of it. UNH is working with local high schools to ensure that the Department is promoting inner-city youth as future police officers. Hill House has a public safety/criminal justice program. UNH is looking to work with Hill House and having them be a feeder to the university to promote academics to the inner city and also to promote policing as a career.

■ Commissioner Dawson stated he would like to assist with this endeavor because this part of the way he became police officer. It will give the Department more options than what it has now. It will take some convincing of some of the outer towns, but it is worth the effort. The Citizens and Clergy Academies' members should be included and trained along the way about the importance of the proposed UNH pilot program.

■ Chief Reyes stated that there was an officer-involved shooting in West Haven involving a state trooper. The Department is awaiting more information about that. This involved a 19-year-old New Haven male resident.

■ The commission thanked Chief Reyes for his report.

## **INTERNAL AFFAIRS REPORT**

Lieutenant David Zannelli

### **CLOSED CASES:**

IA CASE NO. 061-19-C: The complainant alleged that Officer Gamarra was playing with his cell phone while working an extra-duty assignment. The complainant alleged that he told Officer Gamarra to do his job while driving through the construction zone and alleged that Officer Gamarra responded by swearing at him; that he asked for Officer Gamarra's name and badge number which the officer did provide. During his Internal Affairs interview Officer Gamarra denied swearing at the complainant. He stated that he did tell the complainant to slow down as he was driving through too fast. Officer Gamarra stated he did provide his name and badge number upon request. There were no witnesses to this incident. And the complainant has made several complaints to Internal Affairs which have resulted in unfounded findings. No additional evidence was presented. This was not sustained.

IA CASE NO. 065-19-I: Chief Reyes ordered the Officer of Internal Affairs to investigate a suspicious call made to the front desk by someone pretending to be Officer Stroschio. Search

warrant results showed that the phone number on the front desk caller ID belonged to Officer Feliciano; that Officer Feliciano called the front desk to book back on duty the night the calls was made after being sick for several days and was present at C Squad line-up; that the front desk Sergeant may have mistaken the name “Feliciano” for “Stroscio.” This was unfounded.

IA CASE NO. 077-19-C: The complainant alleged that Detective Ingles called the East Haven Police Department, identified himself as a police officer and instructed them to allow him to leave the scene with his adult daughter. This incident occurred while Detective Ingles was off duty in East Haven. Body-worn camera footage and recorded calls to East Haven Police Department revealed that Detective Ingles did contact East Haven 911 and stated he was an off-duty officer, but body-worn camera footage confirmed he did not pressure the officers or ordered the officers from the East Haven Police Department to side with him during the investigation. His adult daughter left with him willingly and on her own accord. This was unfounded.

IA CASE NO. 068-19-C: The complainant alleged that Officer F. Ortiz did not take the appropriate enforcement action in her complaint; that her ex-boyfriend returned items she bought to Advanced Auto Parts and kept the money himself. During the investigation it was learned that the complainant never provided Officer Ortiz the correct receipts to prove she bought the items or any other evidence to prove such claims. Officer Ortiz wrote an initial report and an additional supplemental report based correctly on what the complainant told her at the time she made the report. This was not sustained.

IA CASE NO. 089-19-C: The complainant alleged that members of the New Haven State’s Attorney’s Office colluded together to wrongfully keep him incarcerated. The complainant feared that he will be further harmed by state officials. The complainant is a well-known individual to the New Haven Police Department with mental health disabilities. The complainant listed himself as homeless on his complaint form. He could not be reached for further follow-up. A referral was made on his behalf to CMHC. This was unfounded.

IA CASE NO. 063-19-C: The complainant alleged that Officer Cole continues to sexually harass him and that he was Taser’d during the latest incident. The complainant has made numerous complaints to Internal Affairs in the past involving Officer Cole. Several attempts, including certified mail, were sent to the complainant asking him to meet at Internal Affairs for an interview. No correspondence was received. Body-worn camera footage was analyzed which showed Officer Cole approaching the complainant for drinking in public, a violation, on the New Haven Green which is an ongoing issue for the area. The complainant became irate and refused to cooperate with Officer Cole and began to assault him. A struggle ensued and Officer Stroscio responded and ultimately tased the complainant. The initial stop and use of force were deemed appropriate. The investigation showed no evidence to support the sexual harassment allegation.

IA CASE NO. 066-19-C: The complainant alleged that Officer Cole was rude, assaulted a minor (who is also the complainant). He snatched his laptop out of his hands without cause. CAD notes, dispatch recordings and body-worn camera footage revealed that Officer Cole was dispatched to the area of Chapel Street for what appeared to be a police-type Crown Vic parked

on the wrong side of the road with a juvenile-looking male running from the vehicle towards an unknown location. Upon arrival, Officer Cole located the juvenile next to the vehicle with his OIT and observed an obvious parking violation. The juvenile explained that he drives his vehicle since he's often mistaken for a police officer. While detained and being issued a parking ticket, not an infraction, the juvenile proceeded to go into his vehicle ignoring Officer Cole's instructions. The juvenile then sat on the hood of his car utilizing the laptop while being questioned by Officer Cole and his OIT. Officer Cole closed the top part of the laptop and instructed the juvenile that he was being detained for not following instructions while he was being given a break for receiving a parking ticket which is cheaper than the infraction for illegal parking. Officer Cole did not assault the juvenile and was not rude during the interaction, confirmed by the body-camera footage. Also, the juvenile did not correspond to certified mails, calls or attempts to locate him for an interview at Internal Affairs.

IA CASE NO. 082-19-C: The complainant alleged that Officer Vernik did not take appropriate enforcement action on a criminal lock-out/vandalism complaint at her home. The complainant did not wish to make a formal Internal Affairs complaint. And this incident was assigned to Lieutenant Dell. During Lieutenant Dell's investigation, she learned from the Chief Clerk of Housing that the complainant was legally evicted twice from the residence; that although the complainant appealed the eviction order, it was signed by a judge and served to the complainant which required her to vacate the residence. Body-worn camera footage showed the officer acted appropriately during the incident.

IA CASE NO. 072-19-I: Chief Reyes ordered an internal investigation to determine if Officer Villacres falsified an official document to a patrol supervisor. The Internal Affairs investigation ultimately concluded, in part with Officer Villacres' own admission, that Officer Villacres knowingly falsified an official memorandum to Sergeant Roberts when questioned about his failure to respond to a call for service and backing up a fellow officer. He was presented to the Board of Police Officers on December 10<sup>th</sup>, 2019 and terminated on a recommendation from Chief Reyes as a result of this Internal Affairs investigation. This was sustained.

- Lieutenant Zannelli provided an updated use-of-force totals for 2019. There have been declines, notably in hands and firearm displays. There were a 119 in 2018, and 75 in 2019. For hard hands, takedowns, there were a 142 in 2018 and 72 in 2019.
- The canine, there were six. There was one canine bite. Five were deployed for building searches and such. Taser deployments are slightly down from 2018. With regard to Taser laser there were 55 in 2018 and 34 in 2019.
- The total use of force for the year in 2019 was 242 as opposed to 380 in 2018.
- Lieutenant Zannelli was thanked by the commission.

#### **PERSONNEL MATTERS**

Chief Reyes is requesting approval to the Board of Police Commissioners to send out 17 conditional offers of employment.

\*\* Commissioner Ribeiro moved to Approve Sending out 17 Conditional Offers of Employment

- \*\* Commissioner Smith seconded
- \*\* Motion passed

■ Commissioner Ribeiro noted that in the future she would like to have the list to be approved.

### **CORPORATION COUNSEL REPORT**

(Executive session)

CLAIM NOTICES ONLY: *Dairy Farmers of America v. City of New Haven* (motor vehicle accident claim for reimbursement of Workers' Compensation benefits); *Carlton Steele v. City of New Haven* (motor vehicle accident - claim of physical injuries); *Syed Huq v. City of New Haven* (property damage claim arising from a foot pursuit by police).

### **RETIREMENTS (For Board information only)**

Sergeant Jose Miranda, - eff., December 7, 2019  
Lieutenant Rahgue Tennant, - eff., December 10, 2019  
Sergeant Richard Cotto, - eff., December 21, 2019  
Officer Dwight Calderon, - eff., December 31, 2019  
Officer Scott Durkin, - eff., December 31, 2019  
Officer Jillian Knox, - eff., December 31, 2019

### **RESIGNATIONS (For Board information only)**

Nicole Minervini, Assistant Animal Control Officer, - eff., December 20, 2019

### **RECRUITMENT/SELECTION COMMITTEE REPORT**

■ Commissioner Ribeiro stated that the Department started out with a 175 applicants. Twenty have failed to meet the personal history questionnaire deadlines. Five have declined offers. So there are 150 applicants on the list waiting to go through the background checks. Seventeen conditional offers were just approved.

■ Lateral transfer posting have occurred. It opened on December 20<sup>th</sup>, 2019 and closes on January 21<sup>st</sup>, 2020.

■ The commission needs to see policies for hiring the laterals and reinstatements.

■ Chief Reyes stated earlier that the committee will get the draft of those policies before the next meeting.

■ Chief Reyes said they incorporated some language from POST that the Department felt was important to have.

■ The 17 conditional officers is in addition to the 150 making it 167 conditional offers of employment.

### **EFFICIENCY COMMITTEE REPORT**

There was none.

### **FINANCE COMMITTEE REPORT**

There was none.

## **OTHER BUSINESS**

Discussion on the location of the monthly board meetings

■ Commissioner Dawson stated that this was assigned to Commissioner Walker. He is not here tonight to make a presentation on that. It will be tabled until the next meeting

\*\* Commissioner Smith moved to Table this Matter

\*\* Commissioner Ribeiro seconded

\*\* Motion passed

## **PUBLIC COMMENT**

■ **Mr. Dave Dander of Colchester, Connecticut** handed copies of New Haven Department of Police Service Civilian Complaint Report and Connecticut Uniform Police Crash Report and pictures of his daughter's injuries in support of his comments.

■ He spoke about his 23-year-old daughter's, Melissa Dander, motor vehicle accident. He is grateful to the first responders at the scene of the motor vehicle accident. He saw the car and knew it could have been a lot worse.

■ He spoke about her injuries and her long road to recovery.

■ He stands before the Board for two primary reasons. The police report which has not concluded is incorrect in that it's pursuing the wrong person. Secondly, he went to Officer Rieser, the responding officer, on the 16<sup>th</sup> or 18<sup>th</sup> of October or thereabouts. There are two agreed-to errors in the report. In other words, Officer Rieser conceded that two things were not correct which resulted in an addendum to the report. Those inaccuracies were not corrected.

■ Specifically, the accident report states that two people are in the same seat. She said that was a mistake. More importantly for his daughter for closure and for liability, the person who was driving, Mr. Nieto from Wallingford is not being pursued by the police. He initially said he was driving, if you read the report. He then switched his story.

■ He has been told that the investigation is still open because blood/alcohol level is being pursued for Mr. Zachary Fappiano who was not the driver.

■ His daughter said at the scene to Officer Rieser that Mr. Nieto was the driver. The police report identifies operator number one as Mr. Fabian Nieto. His daughter never said Mr. Fabian Nieto was the driver.

■ His issue is that he does not feel he has to file a civilian complaint to have Internal Affairs correct this. Why it is not being fixed is beyond him.

■ Mr. Dander said he probably would still come before the Board if those errors were corrected as the Department is going after the wrong guy. Mr. Fabian Nieto has no accountability whatsoever. There's been no effort to pursue him in spite of his daughter's statement and his efforts to show her evidence.

■ Mr. Dander thanked the Board for their time.

■ Mr. Dander added that he would do everything in his power to make sure Mr. Fabian Nieto is held accountable.

■ The Board thanked Mr. Dander.

■ **Mr. Rodney Williams** stated that he appreciates the fact that crime is down. That is a good sign.

■ For transparency purposes, a lot of people know meetings are happening. However, a lot of people do not get information about what is happening at these meetings. Just finding out that officers get terminated when they do things that are wrong is great to hear. This information does not get out.

■ He asked that the meetings should be taken to different communities so the community can see what the Board does.

■ He asked, how does the community feel about what is going on? How does the community feel about Internal Affairs? No one seems to be asking the community.

■ It appears that the Board is not really trying to go someplace to really hear what is going on.

■ He knows things are getting better in the city. The one thing that can improve is the relationship and respect the residents have for officers and vice versa. We are not working on respect.

■ He does not understand why it is always unfounded regarding these types of complaints due to body-worn camera footages.

■ He understands officers could be pushed to a level. But what about the guy that doesn't push the officer?

■ Chief Reyes thanked Mr. Williams for his input. Sometimes things are difficult to hear. However, it reminds the Department that it still has a lot of work to do.

■ Chief Reyes responded to Mr. Williams' comments by stating that Lieutenant Zannelli has been attending all the Community Management Team meetings and he has gone to some meetings more than once. The community has been getting abridged versions because there are certain things Lieutenant Zannelli cannot share outside. He has been talking about statistics and some of the things the Department is doing. More importantly, he has talked about how to better make Internal Affairs accessible to the public.

■ The public need not come to the police department to lodge a complaint. Any person can call and the officers will go to the complainant's home. The Internal Affairs hours has changed so that complaints can be made on the weekend. It also can be filled online. All these are on the Department's website.

■ The termination was covered by the press and was in every news agency. For several weeks that was all that was on the news. It was common knowledge.

■ We support our cops when they do the right things; when they don't, there is a collective message sent that the Department will not tolerate malfeasance, even disrespect.

■ The Department proactively audits these body-worn camera footages through contractual agreements with the union to do quality control. Officers are held accountable, if anything untoward is found.

■ Mr. Williams added that there aren't too many people at the management team meetings. The Community Management Teams are not a good representation of the community.

■ Chief Reyes stated he was open to new ideas. The meeting he is going to is at a non-traditional setting, a resident's home.

■ Commissioner Ribeiro added that she is involved in other organizations. Those organizations have invited the New Haven Police Department to attend their meeting for forums. There have been a few meetings with a large number of residents in attendance where residents expressed their opinions. Assistant Chief Dominquez recently attended one such meeting and it was not easy to hear what was said, but it was necessary to hear it.

Commented [SO1]:



- Commissioner Ribeiro added that an invitation could be extended to the Department for different forums. Mr. Williams said he was talking about going to the community.
- Commissioner Dawson stated that the Board and the Department is always open to ideas. However, respect is expected from the public when the Board goes out there. There have been name calling by the public at these meetings. No commissioner in this room has been disrespectful to the general public.
- Everything takes time. Some people are angry about the police and about what they do and things are not moving fast enough. For example, in Hamden, during the Hamden Board of Police Commissioners' meeting, the public was very aggressive.
- Mr. Williams asked about a Facebook page for the Department. He was informed that the Department already had a Facebook page.
- Commissioner Ribeiro said the Department is on Facebook and Instagram.
- Assistant Chief Dominquez added by saying the Department is on Twitter.
- Mr. Williams stated he had no idea about these online platforms for the Department.
- Commissioner Ribeiro added that New Haven Independent is on top of the news regarding the Department.

■ **Mr. Miguel Pittman, Jr.** expressed his experience this week. He stated that he had quite a bit of personal business to do at the Department. He had the opportunity to sit in front of One Union Avenue for about 45 minutes. He was able to observe an officer walking up and down the street and greeting people as they walked by. He spoke with them and directed them in terms of where they were to go upon entering the building.

■ An older gentleman parked across the street. Unfortunately, he didn't realize he had parked by a fire hydrant. The officer noticed he parked there. The officer asked, how can I help you? The gentleman said he was going inside to file his report. The officer told him to move his vehicle as he had parked by a fire hydrant. The gentleman walked around his car and saw he had indeed done so.

■ He said this to say, it had to do about the approach of the police officer. The officer approached the gentleman with smile and positivity.

■ Mr. Pittman said he didn't know the officer's name.

■ Chief Reyes responded that it was Officer Acosta.

■ Mr. Pittman stated that he thought he was an excellent person to introduce the Department to the public.

■ Chief Reyes stated that he agreed that those officers have a major impact on the image of the Department.

## EXECUTIVE SESSION

- \*\* **Commissioner Ribeiro moved to Enter Executive Session for Pending Litigation and Incomplete Reports, Pending Lawsuits and Claims, Preliminary Drafts and Notes for Internal Affairs and Personnel Matters**
- \*\* **Commissioner Smith seconded**
- \*\* **Unanimously passed**

**The Board entered Executive Session at 6:59 p.m.**

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

**The Board exited Executive Session at 7:14 p.m.**

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

The next regular meeting is scheduled for February 11, 2020.  
The Board adjourned at 7:14 p.m.

Respectfully submitted,

Sotonye Otunba-Payne