

**TOWN OF HAMDEN, CONNECTICUT
CHARTER REVISION COMMISSION
MINUTES OF MEETING**

May 1, 2021

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A meeting of the Charter Revision Commission was held on Saturday, May 1, 2021 via Zoom due to the Covid-19 Pandemic. The meeting was called to order at 9:00 AM by the Chair, Mr. Dixon.

MEMBERS PRESENT: Frank Dixon, Chair, Jackie Downing, Vice Chair, Lamond Battle, Secretary, Thomas Figlar, Jeffrey Cohen, Frank LaDore, Nancy Olson, Myron Hul, Sarah Gallagher, Todd Berton, Marnie Hebron

MEMEBRS ABSENT: Tiffany Artis-Wilson, Todd Moler, Jay Kaye, Joshua Sprague-Oliveira

ALSO IN ATTENDANCE: Steve Mednick, Counsel; John Sullivan, Chief of Police; Hamden Police Commission Chairman, Michael Iezzi

Mr. Mednick began saying yesterday he met with the Town Attorney and Labor Counsel for the Police Department and the Town and went through the document thoroughly. He said in the establishment clause, they modified the phrase “promulgate policies and regulations” and used language from the body of the document, “approve or disapprove policies and regulations”. They eliminated the word “investigate” from the opening. They deal with due diligence and review later in the document. They wish to make it clear that public comment, speaking before the Police Commission, they are going to be speaking to matters on the Agenda and also that discussions must be in accordance with legal obligations of the Commission. In “Rules and Regulations” they added the terms “due diligence”- “the body has the ability following its review, inquiry and due diligence to work with the Chief”.... Under the collective Bargaining Provision they cut out the term, “during the process” and broadened it to make sure the Commission plays a role throughout the year on a regular basis to help effectuate the alignment of Collective Bargaining Agreements with the Public Service requirements of the Town. Mr. Mednick said Labor Counsel wanted to avoid the implication that the Police Commission would be at the bargaining table. The Mayor and Labor Counsel represent the Town. Mr. Mednick said the most substantive change they made was at the recommendation of the Town Attorney along the following lines: There are non-sworn personnel within the Police Department who are not under the jurisdiction of the Police Commission. The Police Commission is designed to deal with sworn personnel Mr. Mednick said

in accordance with The Town Attorney's and Labor Counsel's recommendation, he revised the function of the Police Commission is to deal with the hiring, recruitment, training, appointment, promotion, removal of sworn personnel.

Mr. Mednick said under State Law, the Police Commission is given the duty of being the Traffic Authority. Mr. Mednick said people locally have been saying no one has any expertise in that area. Because of this, Mr. Mednick said that in the qualifications section, he added that at least one member of the Commission should have experience with any of the following disciplines: planning, designing, permitting of traffic and transportation projects, traffic analysis, traffic impact studies etc.

Mr. Mednick asked Mr. Sullivan and Mr. Iezzi to share their thoughts on the work being done by this Charter Commission on the Police Commission document.

Chief Sullivan said we do have a Traffic Department in town. Neither of the employees are engineers. The Traffic Department comes under the Police Department, like other departments such as Animal Control, Crossing Guards, Central Communications. These are non-sworn employees. Chief Sullivan said the Police Commission deals with the hiring, promoting and disciplinary determination. He does not have the power to terminate. The Police Commission does. They deal with Policy and revue. He said a lot of the Policies are mandates from Post. Recently became CLESP certified - Connecticut Law Enforcement Standards and Practices. It is the lowest certification in the State. They must be in compliance with 16 policies. They are proud to be the first department certified in 2020. (it is a year behind).

Referencing what Mr. Mednick said about qualifications, Chief Sullivan said it would be helpful to him to have Police Commissioners in the future with some of the Traffic qualifications which Mr. Mednick listed. Chief Sullivan said an engineer on the Police Commission would be incredibly helpful to him since they do oversee Traffic. He said traffic is very important to the Public and the Traffic Agenda is packed every month, generally being larger than the Police Agenda. He said there is a lot of work there. Chief Sullivan said he did a 50 page budget presentation with the Police Commission and reviewed the Police Department Budget with them.

Next, Mr. Iezzi spoke. He agrees with Chief Sullivan on all the points about Traffic. There is a lot of work to be done there. Was a proponent of splitting the Traffic Commission because of the large amount of work here and how important Traffic is to the people of Hamden. Mr. Iezzi said he loves doing this work and is passionate about serving Hamden, and at times the amount of work the Commission has to do seems overwhelming. He said he completely agrees with Chief Sullivan, they are lacking in qualifications to do some of the Traffic things which need to be done. He said sometimes people get very anxious because they want things done by the Commission and it does not have the funds. Roundabouts and stop signs and speed humps all require great attention and they developed a protocol because these affect the surrounding streets and areas when they are placed. Mr. Iezzi said he appreciates the dedicated folks who attend all the meetings and are qualified and should be on the Commission. The Traffic agendas are packed and Chief Sullivan does a great job and is always working on it. There are phenomenal people out there, Engineers and professionals that participate in the meetings and he would recommend they be part of the Commission in the future.

Mr. Mednick asked Chief Sullivan and Mr. Iezzi if they are supportive of the changes and language which the Charter Revision Commission has been putting in the Police Commission Section. Mr. Iezzi answered yes. Chief Sullivan said yes, the changes being proposed are very good for the Town and the Police Department. He likes and supports having nine Commissioners covering all

districts of town. He thinks this is a great time to bring people on with qualifications which would greatly help both him and the Traffic Authority. Mr. Iezzi said he agrees with Chief Sullivan and we need to constantly progress. He said he has been involved in the Police Commission since 1986. He said he views the Police Commission as a responsible entity which follows the Town Charter. He said their responsibility is to make sure things are done fair, they are an oversight. Changes will make the Commission better if it goes in the right direction. They are not Police Officers. The value is to see that everyone is treated fairly. What is fair? Making sure the Town is treated fairly, making sure the Police Chief and all Officers are treated fairly. They handle discipline, they hire and fire and they review policy as was written in the last Charter. They do not change or amend policy, they just review and can approve or disapprove. If an Officer is disciplined, it comes to the Commission if the Officer wants it to or if the Chief disciplines more than five days. It eliminates anyone having supreme power in the Police Department. It eliminates favoritism and nepotism and enables the Officer and the Chief to be treated fairly. Mr. Iezzi said fairness has been his main goal. They have been very conscious of the fact that they want to have a diverse Police Department. He said this is the most important thing on his mind. He believes when he started on the Police Commission, there was a nine percent minority rate of Officers and now it is 27%. He wants this to increase and see it done right. Mr. Iezzi explained there are two ways to go about hiring Police Officers. One is entry level and the other is hiring Officers from other towns. Hiring from other towns saves a lot of money and it provides a history on the officer. He said they have been fortunate to have made quality hires from other towns, and along with that came diversity.

Mr. Iezzi concluded saying, they don't "police" the Police. They oversee things to ensure fairness.

Mr. Dixon asked Chief Sullivan to discuss hiring practices as it pertains to experienced people being hired and please mention the conversations outside of skills and experience. Mr. Dixon offered the following series of inquiries to Chief Sullivan: What qualities do they look for in an Officer based on where the world is going and the culture? How does he work with Personnel when vetting a new Officer coming into Hamden? What are his thoughts about making his Commission more accountable to the Town? What would a perfect Police Commission look like to him? Chief Sullivan said hiring a new Police Officer is one of the most important jobs he has and is a huge investment for the Town. They have two lists: a certified list comprised of Officers from other towns, and a non-certified list of individuals who have not yet been Police Officers. Chief Sullivan said this is one of his strengths as a Police Chief - that he came from the Ethics and Integrity Division which handles hiring and recruitment. He is proud of the make-up of the Department and the hiring practices over the past ten years changing the department to reflect what the community looks like. He said when he was in Ethics and Integrity, they reached out by going to churches, colleges, Albertus, Southern, Quinnipiac, high school career day... In the next hiring process are planning to be heavily into the recruitment pulling in a larger pool of candidates. He said they do extensive background checks on every candidate including credit score, discussions with neighbors, polygraph, several interviews, psychological test, written test, physical test, motor vehicle background, criminal history, drug /alcohol use. Other things looked, that the Chief said he looks for are empathy and compassion and certain things like that which you do not learn in a background check.

At this point, Mr. Dixon asked Chief Sullivan how he would "pitch" to a 21 year old to come here as an Officer, after this person heard about some of the history of the Hamden Police Department? Chief Sullivan replied Hamden is a great community with a great Department which has a lot of opportunity. The Department is very community oriented, has many different specialized units

besides patrol which Officers can go into during their career, many of which are community based. They are planning to do a “Pal” program, a youth mentoring program. They really want a good relationship with teenagers and to be seen not just as Police officers but as people who can engage with them. In his mind there is no better job than this. Chief Sullivan said our officers park their cars and walk in neighborhoods, go into stores and introduce themselves and work at building relationships. Chief Sullivan said he grew up in Hamden and graduated from Hamden High School. He would like to see points given to Hamden residents, along the same lines as military points, because when you grow up in a community, you know what is expected of you and makes you a better Officer for that Town.

Mr. Dixon asked Chief Sullivan what is the total number and the diversity number of people working for you based on ethnicity and gender? Chief Sullivan said he does not have the exact numbers in front of him, but believes it is very close to 9-10 female Officers, two Asian Officers, ten black Officers, ten Hispanic Officers. Mr. Dixon asked how many are from Hamden? Chief Sullivan said he was unsure but will obtain that information. Mr. Dixon said these are important points in in neighborhood Policing. Mr. Dixon asked about walking Police Officers and parts of Town. Chief Sullivan indicated there are walking beats town-wide and they average about 400 walking beats per month. Mr. Dixon asked about the Chief’s organizational chart and where the Deputies working underneath him live and their gender and ethnic background. The Chief believes both live out of town, he thinks Madison and Woodbridge, white males each having been with the Department possibly 35-40 years.

Mr. Kaye asked Mr. Iezzi and Mr. Mednick about having alternates on the Police Commission and he asked if there is there a liaison or someone from Engineering who comes into the Traffic Authority upon request to provide support to Traffic and if not, would it be useful? Mr. Kaye asked about their public comment and he mentioned that we had not touched on Civilian Review and he would like to get the Chief Sullivan and Mr. Iezzi’s opinions on that.

Mr. Iezzi said public comment is very important and they are very open to it. It is based on agenda items. Mr. Iezzi said the Town Engineer does come in to provide advice and is very helpful. He is not a Traffic Engineer. Mr. Iezzi said they outsource a lot. He said we used to have a Traffic Department with a Traffic Engineer. Now we do not have a Traffic Engineer. It is a funding issue. Mr. Iezzi said “The public is the key to our success. We get a lot of support from people in the public who are qualified”. He added the Town Attorney brought up the point that utilizing volunteers that are not commissioners, not appointed could bring up some concern for liability. He said we have a strong town that desires strong public safety and traffic calming.

Re: Alternates, Mr. Iezzi and Mr. Mednick indicated that going to a nine member commission should eliminate the need for alternates.

Re: Public Comment, Mr. Mednick recommended utilizing the Sub-section at the beginning of the document for Public Comment for all Boards and Commissions and establish a standard for what constitutes an Agenda Item, or how an Agenda Item can be generated.

Re: Civilian Review, Mr. Iezzi said civilian Review and Police Commission are supposed to do the same thing. The Charter Commission can make changes, expand possibly change the name and responsibilities. He said he believes anything the Charter Revision Commission wants to pass is for the good of the Town.

Re: Recruiting, Mr. Iezzi said The Civil Service Commission develops candidates. He said we need to develop better recruiting starting with the Civil Service Process. The Police Commission

would like to start reaching out to folks in High School. Mr. Iezzi said de-escalation is very important to him. When new Officers come in there is great emphasis on de-escalation. The Police Department has taken very strong measures in this area and had excellent training brought in for this.

Mr. LaDore asked Chief Sullivan if the Police Commission has anything to do with the Police Department Budget, and mentioned it had been suggested that a percentage of the PD budget got to the Police Commission to empower them to perform their duties.

Mr. Sullivan said they just provide a Budget Review to the Commission. As far as a percentage of the budget for the Police Commission, he said he has no issue with that. Mr. Iezzi agreed that a percentage would be helpful.

Mr. Cohen asked Chief Sullivan about a program they are doing with the Department of Justice. Chief Sullivan said yes it is the Strengthening Police and Community Partnerships Program, SPCP. Chief Sullivan explained how the program works and that it has brought all factions of the community together to discuss Police issues and they have now created a Council composed of all community factions which meets regularly to identify and address any problems, identify solutions and meet with the Chief. It is a partnership between the Police and the community. He said it is excellent beyond what he even imaged when it began. Chief Sullivan said it has even resulted in people reaching out to Hamden nationwide, and grants have become available to the Town as well.

Mr. Cohen asked if this council does some of the things a Civilian Review Board would do. Chief Sullivan indicated he believes so.

Mr. Hul asked what the Police Commission process is regarding the disciplining of an Officer. Chief Sullivan explained a Civilian Complaint form is submitted to him, he sends it to Ethics and Integrity to investigate thoroughly. Ethics and Integrity will either sustain or non-sustain it. If it is minor in nature, that is five days or less of suspension, the Chief adjudicates it. If it involves longer than five days, he refers it to the Police Commission. They conduct a hearing. Mr. Iezzi added that a Police Officer has the right to go to the Police Commission even if it is a one day suspension or letter of reprimand.

At this point, Mr. Dixon noted/questioned that Chief Sullivan answered the question about discipline when it was asked of the Police Commission. He made some indication that this relates to the problem they are trying to address of what the Police Commission's role is. Mr. Hul said that actually, he simply asked in general when does the Police Commission get involved in discipline, and it was not specifically directed to anyone. Mr. Hul continued and asked why the five day period? Chief Sullivan replied the five days comes from the Collective Bargaining Agreement. At this point, Mr. Iezzi reiterated that the discipline is a process involving both the Chief and the Police Commission and at any time, the Officer can come directly to the Commission. If anything is settled in the Chief's office it is an agreement. The commission is there to make the final decision.

Mr. Hul asked about the hiring process, what the Police Department does, and what does Civil Service/Human Resources do? Mr. Iezzi replied it is a process starting with Civil Service doing the recruiting, testing and developing the certified list which is given to the Commission. He said Civil Service is a very important authority commission. Mr. Iezzi asked Chief Sullivan to explain the testing process. Chief Sullivan explained that for non-certified they use a statewide app so the test is done statewide. For certified, there is a three-panel oral interview, a written test and a physical test. They are scored and graded based upon the oral interview. Mr. hul asked where is

Human Resources in this process? Chief Sullivan said HR can do their own recruiting and advertising also.

Mr. Hul asked Mr. Iezzi and Chief Sullivan about subpoena power which has been under discussion in regard to Civilian Review Boards and Police Commissions. He asked them to comment on the benefits and pitfalls of having subpoena power (for a CRB or Police Commission), and the ability to initiate inquiry into Police Activity.

Chief Sullivan replied he believes, the more review, the better. He said the question of whether there is authority to get subpoenas is best answered by Attorney Mednick. Also, would there be any violations and this possibly lead to grievances based on the Collective Bargaining Agreement. Mr. Mednick referenced language in their draft indicating if the Town chose to rename the Police Commission the Civilian Review Board, the major attribute of that change would be subpoena authority and it would seem that if subpoena authority is granted to a body within the Collective Bargaining Agreement it would be much more difficult to squash the subpoena. The State has given the municipality the ability to establish Civilian Review Boards with subpoena power and to define their scope. There is no definition in the Statute of what the CRB is. Mr. Mednick said his concern is if they subpoena something they have no authority to subpoena. Collective Bargaining Agreement governs discipline no matter what the say in the Charter is superseded by the Collective Bargaining Agreement.

Mr. Hul asked about any possible liability regarding having a professional Traffic Engineer who might sit on the Traffic Authority advising the Commission as opposed to an employee, such as Town Traffic Engineer, (which we do not have), providing advisement. Mr. Iezzi indicated it is his belief that if the person sits on the Traffic Authority it is fine because they are the "authority". The Chief indicated that it would be him as Traffic authority, not a civilian. He receives assistance from volunteers who may do research for him on already existing information. He said he leans on Mark Austin and WSP for advice and decision making for Traffic Calming etc.

Ms. Hebron said she had questions which had been answered but on the topic of CRB vs. Police commission, she wished to offer her observations. She said it seems the Police Commission is there as a buffer more for the Police like a union, for the Police Officers, and not for the civilians. Mr. Iezzi said that is basically correct. Chief Sullivan said the Union represents the Officers and the commission oversees the Officers. There was more discussion about the discipline process pertaining to the role of the Chief and/or the commission, and also the role of any Board or commission being there to serve the Town. Ms. Hebron asked if when a civilian files a complaint and it goes to Ethics and Integrity, does the Commission automatically receive that? Mr. Iezzi said civilian complaints are supposed to come to the Police Commission. Ms. Hebron asked how often an investigation is completed and what the realm is. There was a brief discussion clarifying that complaints are provided to the Commission from the Chief and are not mailed directly to the Police Commission Chairmen. There was more explanation of the route a complaint takes from the Chief, to Ethics and Integrity to an investigation by Ethics and Integrity finding either exonerated, substantiated, or not substantiated, if substantiated the Chief adjudicates it unless it is five days or more where it goes to the Commission.

Ms. Downing asked Mr. Iezzi if in all his years of experience, was there ever a public objection to disciplinary action brought to the Commission for its review. Mr. Iezzi said not in that form. At the time of the shooting, people came out publicly to show their disdain. Chief Sullivan said he has had people not happy with the outcome of a complaint investigation. Mr. Iezzi recommended

that the process be re-examined. Ms. Downing pointed out that his is connected to why there was recommendation that the Commission have its own funding to perform investigations.

Mr. Mednick will speak with Labor Counsel and the Town Attorney about filing of citizen complaints and appeal rights if a citizen is not happy with the determination by the Chief. Mr. Dixon added that what we are really looking for is a trace-ability process and to increase public trust. Mr. Iezzi agreed and the process should be looked at. Chief Sullivan added that all of the IA investigations are "FOI able". (freedom of Information).

There was some brief discussion of public input for the commission. Ms. Gallagher asked about the Commission with respect to non-sworn staff in the PD. Chief Sullivan explained the Police Commission is not involved with non-sworn personnel. A complaint follows the same route which was previously explained except it would go to Human Resources, not the commission. Ms. Gallagher asked about separating the Traffic Authority from the Police Commission. Mr. Mednick explained that, although many here would want to do so, State Law mandates that the Traffic Authority be under the Police Chief/Commission.

Ms. Gallagher asked about residency incentives for Police. Chief Sullivan said he is totally in favor of that. Mr. LaDore indicated that in New Haven there is a 3 point incentive and it goes through Civil Service. Mr. Mednick recommends discussing this with the Town Attorney. He said he thinks New Haven has Special Act Mandates for this. He will look into it.

Mr. Berton asked Chief Sullivan and Mr. Iezzi if they look for any specific qualifications in a commissioner which they would like to see written into the Charter. Mr. Iezzi said he believes that when a/the Mayor selecting a commissioner, he should review their background to make sure there is nothing to prevent them from being on the commission. He indicated that his years as a volunteer in government on the commission provided him valuable experience. He said you want a good person with a good heart who is not biased and able to reach the needs of the people of Hamden. Mr. Berton asked if having a Police background would be beneficial. Mr. Iezzi said this has been controversial, and has positives and negatives. With a nine member commission it could add value. Chief Sullivan agreed it could add value and be good if perhaps they had been an officer in a different town. He added a nine member commission will be very good because you need a lot of different views on a Police Commission.

Mr. Iezzi said he would like to see things de-politicized in all areas of town and that we need transparency and no appearance of impropriety.

Mr. Berton asked if we should add a prerequisite that Police Commissioners take the Hamden Citizen's Police course, so they have an understanding of Police practice. Chief Sullivan said he thinks this is a great idea.

Ms. Hebron asked Mr. Iezzi, regarding his earlier comments about the Mayor looking at background to make sure there is no reason why someone should not be on the Police Commission, what would be an example of someone not qualifying to be on the Police commission? Mr. Iezzi said maybe something in their record, maybe they have been biased... we have to find people that are fair, honest and non-biased. Ms. Hebron expressed concern that this not be mis-construed, using the example of herself- married to a Police Officer and also a Community Activist and she would like to be on the Police Commission.

Ms. Downing thanked Chief Sullivan and Mr. Iezzi.

Mr. LaDore motioned to adjourn. Mr. Cohen seconded. The meeting adjourned at 11:30 AM.

This meeting had no clerk. Meeting starting/ending times and attendance were best guessed by watching the video.

Discussion summary typed while viewing the video and submitted by Rose Lion, Secretary to the Legislative Council

Ms. Renta, Legislative Council Administrator/Clerk reviewed the minutes and added any additions necessary and the video link before filing.