



TOWN OF HAMDEN, CONNECTICUT

POLICE COMMISSION

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Minutes: The Police Commission, Town of Hamden, held a Regular Meeting on Wednesday, January 8, 2020 at 5:31 PM, in room 107C, Hamden High School. The following results:

Commissioners in Attendance:

Michael Iezzi, Chair
Cherlyn Poindexter
Mitchell Strickland
Larry Esposito

Staff in attendance:

Nancy Forvil, Substitute Clerk

Others in attendance:

Chief of Police, John Cappiello
Deputy Chief of Police Bo Kicak

1. Call to order/ Roll Call:

Mr. Michael Iezzi, Chair, called the meeting to order at 5:31 PM. A roll call was conducted by the Commission Clerk, Nancy Forvil. Michael Iezzi, Chair, Cherlyn Poindexter, Mitchell Strickland and Larry Esposito were present. Chief of Police, John Cappiello and Deputy Chief of Police Bo Mizuk were also present.

***Moment of Silence & Prayer**

A moment of silence and prayer was conducted on the behalf of the Cathy Gempka's sudden passing. Our thoughts and prayers are with Cathy and her family. The prayer was conducted by Pastor Pat

2. Approval of Minutes of the meeting of November 16, 2019,

Mitchell Strickland made a motion to approve the minutes of November 16, 2019. Larry Esposito seconded the motion. The vote was unanimous in favor.

3. Public comments on agenda action items

Mr. Michael Iezzi, Chair, addressed the public that effective January 8, 2020, public comments will only be on action items. (Redundant)

Pastor Jack, address unknown-

Pastor Jack offered his condolences to those affected by Cathy Gempka's sudden passing. Pastor Jack also provided the Bible passage of *Isaiah 58* to console those who maybe suffering from the passing of others. Pastor Jack addressed the Commissioner and expressed how he appreciated their response to the sudden death of Mrs. Gempka by canceling the December 2019 meeting. Pastor Jack also added that the past shootings angered a community and the Commission did not take the time out to stop and reflect on the past incidents. Pastor Jack wanted to know if there were any updates on the agenda that would elaborate on last April's shooting. Pastor Jack hopes that the residents of Hamden can move forward as a town and when incidents happen action can be taken quicker to deliver a clear signal on what kind of policing procedures that can be expected from Hamden officers.

Dan Garretson, 47 Andover Road-

Expressed concerned about Commissioner Cherlyn Poindexter whom he believed had her head down and was not listening while Pastor Jack was speaking. Mr. Garretson appreciates the Chief of Police and the remaining Commissioners for listening.

Ronda Coldwell, (address unknown)-

Addressed the police attorney on if there was a specific timeline on when he planned to file the appeal. The attorney informed Ms. Coldwell that the appeal was filed and the next steps will be a premiering conference that will include the attorneys and Judge. They will then relay their perspectives view on what should happen next. If there is no resolution then a scheduling order will then be put into effect. Briefs will need to be filled and augments will be held. He will be in a better position to provide updates once the pre-arguments have been filed. Ms. Coldwell also asked could the updates take anywhere from 30-60 days or several months. Attorney responded that unfortunately appeals take a long time and can make an argument that it's an injunction that the town has a very important interest at stake and wants to move ahead quickly. Ms. Coldwell added that if it was possible for the commission to add and have an ongoing agenda item to have an update on the process. It seems that the appeal will be in the holding process for a while

Chair, Michael Iezzi, responded that it is something that he definitely would like to consider. There is nothing wrong with providing the public on updates whether there are updates or not and is a responsibility to keeping the community informed.

Nicolas D'Amato-

Mr. D'Amato expressed that he is a life- long resident of Hamden. He has volunteered and has worked with children in therapeutic foster care. He has attended 3-4 Police Commission meetings and this is the first time he felt that he had an opportunity to speak. He feels that there has been a lot of chaos, disruption and feels comfortable to provide his point of view. There is due process and is a

foundational principal of our society and judicial system. There were several murders and various incidents where cases have gone on and on. These procedures involve multiagency and the process should be understood that everyone is entitled to due process and allow the system to play out. Mr. D'Amato felt very uncomfortable during the meeting that involved protestors who shut down a meeting. He added that no one would feel comfortable voicing their opinions when there are large protesting groups. Mr. D'Amato concluded that he does not know the officer in the ongoing investigation but, would hope for civility and for community to present themselves as mature adults. Mr. D'Amato brought a sign for the public just in case he was not able to speak at the meeting. The sign read- "Due Process and Civility".

Brad Mcdowell, Council Member (Address unknown) –

Wanted to express his condolences to the family and those affected by Cathy Gempka's sudden death. Cathy's death was a heavy loss to the community. For a number of months there was an agenda item to modify police procedures. While advocating the mediation for police procedures, there has been two deaths as a result of police pursuit. The police pursuits were for nonviolent crimes where no one would have been hurt if police procedures included gathering additional information of the suspect. Mr. Mcdowell also made the suggestion of using cutting edge body cams that can use for police officers. He hopes that these subjects can be addressed since it was first presented a year ago with the former Police Chief. The policies and body cams can assist with due process and the safety of residents.

Response (Chief of Police, John Cappiello) –

State laws have changed since the end of December and beginning January 1st and was determined that police cannot pursue anyone if they did not commit a violent crime or felony or belief that that committed a violent felony. The laws have been in effect for the Hamden Police Department and are in the process of modifying their procedures. The policy has been sent out to all the Hamden police officers. Modifications can be applied if the department wants to make them more stringent.

Pastor Jack-

Asked the Commission about a disciplinary hearing that was scheduled in December but, was eventually cancelled and wanted to know if the hearing rescheduled.

Response (Chief of Police, John Cappiello) –

Currently the disciplinary hearing is in negotiation with the union firm, if the negotiations cannot be resolved then the Chief has the opportunity to bring it to the Commission or the officer can bring it to the Commission and or the Officer and the Chief has the right to settle the disciplinary case. The Chief can discipline up to five days, anything beyond that would need to be presented to the Commission. However the police officer can go to the Police Commission and receive no time for disciplinary case.

Pastor Jack-

Asked the Commission about the language being used in the state laws and police policy about police pursuits. Will the department provide a clear definition so that there are no biases in the interpretation of the policy?

Response (Chief of Police, John Cappiello) –

The definition or state laws can be modified to provide clear definition for police officers and the public. A policy came out in December 2019 and the new policy will be presented to the Commission to discuss and be voted on. Pursuit policies adjusted throughout 2019. There were policies that were presented to the Commission and were going to be voted on. However, the State would also make their changes which would then postpone department policies.

4. Correspondence-

No Correspondence at this time

5. Department Report-

There are approximately three months of department activities provided. The highlights for this month were the arrest of the gunman who shot and killed a 35 year old male during a robbery. The department secured an arrest warrant. The suspect was then apprehended in Bridgeport, CT. There was also a homicide on Widen Street. Police officers and detectives have been working on the case and have accumulating evidence, surveillance and interviewing witnesses.

Response (Michal Iezzi, Chair) –

Plans to work closely with commission clerk, Nancy Forvil to add more details to agenda items and minutes so that the public can have more insight on the events and activities prior to attending a meeting. Mr. Iezzi had met with the Mayor’s office to meet with the webmaster to have agenda and minutes posted quicker for the public to view and to foster transparency.

6. Old Business- No Old Business at this time

7. New Business-

a) Review and approval of 2020 meeting schedule.

Police Commission meetings will now be on the second Wednesday of every month, at 5:30 PM.

The Traffic Authority will be on the second Monday of each month. There are now more interest from the community for Traffic matters and want to be able to provide their opinions and concerns regarding traffic matters in their community. The meetings will now be split into two meetings. The traffic meeting this month will be moved to this Monday due to a Council meeting scheduled during the same day. Once meetings are changed and not set, prior meetings will be labeled as “Special Meetings”.

Q&A from the public-

If someone wanted a traffic light put on their street how would someone go about that.

Answer- Send a letter to the Traffic Authority and ask for the topic to be an agenda item. The item will then be placed on the agenda item and will then be discussed on what the possibilities are and what the request would be. Please note that Whitney and Dixwell are state roads.

Mr. Strickland made a motion to approve the meeting schedule of 2020 with the amended meeting date of 12/9/2020 instead of 12/2/ 2020. Mr. Larry Esposito seconded the motion.

8. Executive session

There were no Executive sessions

9. Adjournment

There being no further business to discuss, Mr. Strickland made a motion to adjourn the meeting. Mr. Esposito seconded the motion. The vote was unanimous in favor.

The meeting adjourned at 6:05 P.M.

Submitted by: _____
Nancy Forvil, Clerk