

**CITY OF NORWALK  
HEALTH, WELFARE AND PUBLIC SAFETY  
REGULAR MEETING  
JANUARY 28, 2016**

**ATTENDANCE:** Faye Bowman, Chair; Stephen Serasis, Richard Bonenfant, Nick Sacchinelli, Michelle Maggio, Eloise Melendez

**STAFF:** None.

**OTHERS:** Tim Callahan, Norwalk Health Department, Deputy Chief Ashley Gonzalez, Fire Chief Lawrence Reilly, Philip Pissaro, Daniel Amoroccio; Police Chief Thomas Kulhawik (7:46 p.m.)

**CALL TO ORDER**

Ms. Bowman called the meeting to order at 7:35 p.m. A quorum was present.

**APPROVAL OF MINUTES**

The following corrections were noted:

Page 1, following **ATTENDANCE:** please add “**STAFF:** Irene Dixon, Assistant City Clerk”

Page 1, **Footer** and following: Please change “Regular Meeting” to “Special Meeting”.

**\*\* MR. BONENFANT MOVED THE MINUTES OF THE DECEMBER 7, 2015 MINUTES AS CORRECTED.**

**\*\* THE MOTION PASSED WITH FIVE IN FAVOR (BOWMAN, SERASIS, BONENFANT, SACCHINELLI, AND MELENDEZ) AND ONE ABSTENTION (MAGGIO).**

**PUBLIC PARTICIPATION**

No one wished to address the Committee at this time. Ms. Bowman said that she would allow public comment at the end of the meeting also.

**NEW BUSINESS**

**Norwalk Health Department**

- 1. Authorize the Mayor, Harry Rilling, to execute any and all documents necessary to apply for and accept grant funds from the State of Connecticut**

**for the Immunization Action Plan (IAP) Program for the period January 1, 2016 to December 31, 2020 in the amount of \$486,765.00.**

**2. Authorize the Mayor Harry Rilling, to execute any and all documents, instruments or amendments as may be necessary to implement the Immunization Action Plan (IAP) Program for the period January 1, 2016 to December 31, 2020.**

**\*\* MR. BONENFANT MOVED BOTH ITEMS.**

Mr. Callahan said that this was a Federal Grant that was passed through from the Federal Government to the state and then to Norwalk. He said that there was a registry in Connecticut where the parents can voluntarily enroll their child so when an immunization is given, it is registered, the office will notify the parents when the next round of shots is due. Clinicians can check to see if the child has received their shots. The City has received these funds for more than 20 years. Norwalk and Danbury have the highest number of immunizations in the State and the Norwalk Community Center has the highest number of immunizations.

Mr. Bonenfant asked what would happen if a child had received two of the same shot. Mr. Callahan explained that since there were no live viruses used in vaccines, it most likely would not be a problem.

**\*\* THE MOTION TO APPROVE THE ITEM PASSED UNANIMOUSLY.**

### **DISCUSSION ITEMS**

#### **1. Sheridan Street and Lincoln Avenue Safety Updates**

Ms. Bowman said that there had been some safety concerns from those residents who live in the area.

Assistant Police Chief Gonzales said that there had been a call about a shooting in the area of Lincoln Avenue recently. Three individuals were in a vehicle and one of the passengers was shot. He said that it was an active, ongoing investigation.

*Chief Kulhawik joined the meeting at 7:46 p.m.*

Mr. Bonenfant said that his friend, Mr. Pissaro, owns a home there and had expressed concerns. Assistant Police Chief Gonzales said that the staff had reviewed the records and most of the calls stemmed from incidents that happened on Woodward Avenue and spilled onto Lincoln. Mr. Pissaro said that he also owns a house on Woodward Avenue, and there doesn't seem to be as many problems with that property.

Ms. Bowman said that she had lived there and there had been random violence in the past. She added that there was a wooded area that might be the source of the problem. Ms. Bowman said that she understood that the police were working on the problem. Mr. Pissaro said that there were two street lights out and that these had been reported to Public Works. He added that with the leaves off the bushes and trees, there were fewer people congregating in the area. Ms. Bowman said that she would talk to the Second Taxing District about the lighting.

## **2. Ordinance Committee Street Sign Standard Resolution**

Ms. Bowman said that this ordinance had been presented and that it was later determined that it was not necessary. Fire Chief Reilly said that there was one road where some of the residents wanted more signage and others did not. The Fire Marshal spoke with the Law Department and DPW about this ordinance was drafted. There had been a discussion about having the signs resemble the City street signs. Fire Chief Reilly said that he had been in private communities in Norwalk where the signage was legible but not the same type as the City signs. He gave a brief description of the previous signage and said that the residents had apparently been able to work out the issue between themselves. Discussion followed.

Mr. Bonenfant gave a quick overview of the previous discussions on this topic. Fire Chief Reilly pointed out that the residents in the private road had added more signage. Ms. Bowman said that the Committee should reach out to the residents of the private road to see if they are comfortable with the signage. Mr. Serasis said that he would like to check with the Legal Department to make sure that the City would not be liable if there was a problem locating an address.

## **3. Norwalk PD Stun Gun Use and Policy**

Ms. Bowman said that she had seen the article in the newspaper about the use of tasers in Norwalk. Mr. Daniel Amoroccio said that he had a number of questions for Ms. Bowman.

Chief Kulhawik said that last year, the State had mandated that all uses of the taser be documented including incidents when the taser is just pointed but not discharged. He said that the Department had to compile this information for the last 10 or 12 years because they are accredited. However, the Department did not report these statistics to the State because they were not required to do so. The majority of the Police Departments in Connecticut are not accredited and therefore, have not been collecting to data prior to the State requirements to do so. When Chief Kulhawik spoke with the reporter who wrote the article, he was informed by that report that some departments did not report the data, others submitted partial data or inaccurate and still others omitted the data where the tasers have been pointed at a suspect but not discharged. Therefore the statistics that were published were not complete, nor were they completely accurate.

Chief Kulhawik added that not every Police Department has tasers and of those that do, not every patrol officer has a taser. Hartford reported 51 uses of the taser. The Hartford PD only has a 136 tasers but has 400 officers. Their statistics will be lower simply because there are fewer tasers to be utilized.

Chief Kulhawik said he had seen a report that Norwalk was the sixth largest city in Connecticut, but ranked Number 2 in taser use. He said that he disputed this because the figures were flawed due to the reporting problems. He then gave the comparison of the figures per capita, Norwalk is Number 9, even with the flawed data. There were some small towns per capita where the taser uses was slightly over 7.0 per 10,000, but Norwalk came in at 4.6 per 10,000.

The article focused on who the taser was used on along with their race and ethnicity. The reason that the State requested the report was to look at exactly who the taser was being used on and how frequently. Chief Kulhawik pointed out that the report did not include an analysis of all arrests or a break down on the population of any given city. The population in the study is only those who are resisting arrest and the officer would have to use a baton or other means to subdue the suspect.

The term “less lethal” refers to the fact that it is not a “non-lethal” weapon. The benefits of the taser far outweigh the officer having to use hands on methods or the use of a baton or black jack. Previously, when officers were forced to use a black jack or baton on suspects who resisted arrest, the suspects went to the hospital. The officers are now trained to avoid physical contact and use the taser instead. Chief Kulhawik said that there were far fewer suspects resisting arrest because of the taser and fewer officers injured.

The leadership monitors the use of the tasers, and all the incidents where the suspect resists arrest. He stated that whenever an officer uses force in an arrest, they fill out a three page form that give a very detailed report about the taser use, any injuries sustained and other information. Those reports are sent to Deputy Chief Gonzales for policy review. Chief Kulhawik added that he personally reviewed the records for the last two years and there were only a handful of excessive force complaints, none of those complaints involved the use of the taser.

Deputy Chief Gonzalez said that when he was in the field, when people were either resisting arrest or attempting to flee, once they saw the taser, they stopped. Most people don't want to be tased, so once they see the red dot, they just surrender. The bottom line here is that neither the suspects and the officers were injured during the incident.

Chief Kulhawik said that the taser levels the playing field in terms of height and weight disparities. An officer who is of smaller stature confronting a larger individual now does not have to resort to bodily force or deadly force. Regardless how big or small the officer is, when the taser is applied properly, it would disable an individual.

Ms. Bowman said that she had some concerns. She said that there were some conclusions that could not be drawn from the article. She asked if Norwalk was the only department that has a taser for every officer. Chief Kulhawik said that there were smaller department that were fully deployed. Some of the larger city are not fully deployed. Hartford only has 136 tasers with 400 officers. He said that he was not sure if Waterbury or Bridgeport had a full compliment of tasers. Some smaller towns have a taser bank and the officers on duty sign them out. Other departments only give the tasers to the supervisors. It varies across the State.

Ms. Bowman said that Norwalk ranked as Number 2, above Bridgeport and New Haven, which indicated to her that there were some issues with the figures. However, Norwalk reported 40 incidents, which means most of the officers did not use the tasers. Chief Kulhawik reminded everyone that the figure included point the taser. He said that there were just slightly over half where the taser was deployed.

Ms. Bowman said that she would like clarification as to whether or not there were 40 officers that used their tasers once or a particular officer using their taser several times. She asked if there was an officer who used the taser and was inflating the numbers. Chief Kulhawik said that there would be some officers that would use it more than others due to their assignments. However, every use is carefully reviewed to make sure that it falls within policy. There is an officer that Chief Kulhawik felt was not utilizing the taser enough. Assistant Chief Gonzales said that the use of force is evaluated by the shift commander and then passed on to him. If a problem is detected, the Chief is informed and reviews the situation.

Accreditation requires an annual review of "use of force" and an analysis is done, Chief Kulhawik said. The statistics for 2015 are being compiled. There is a website that has the statistics for 2014.

Mr. Serasis said that he thought it was good to have less lethal weapons used rather than lethal weapons. Personally, he was glad that all the officers have a taser. He asked if there was a ratio of tasers versus firearms. He asked if there were statistics on how often a firearm was drawn and pointed. Chief Kulhawik explained that if an officer points a firearm, that is considered a reportable incident and it is tracked. Mr. Serasis said that it would be good to show a comparison between the taser use to the firearm use. Chief Kulhawik gave an example of when a taser was used rather than a firearm to resolve a situation. The taser was used to disarm a suspect with a knife. If the taser had not be used, most likely the individual would have been shot. Chief Kulhawik said that the 2014 figures were available on line and someone could see how many times a firearm was employed and how many times a taser was utilized. He cautioned everyone that it was a bit like comparing apples and oranges since a felony stop would require immediately require firearms to be drawn and a taser would not be considered. The taser's use is involved when the officer is going to make a physical arrest. The tools are used for different situations.

Ms. Maggio said that since the department has been accredited for many years, they have been collecting this information for all that time. Chief Kulhawik agreed. The use of force decreased last year compared to 2014. Many people will not even fight when they see a taser. Every new police officer is tased as part of the taser training. Ms. Maggio immediately offered to be tased.

She asked if the taser had a mechanism to record whenever it was drawn or discharged. Chief Kulhawik said that when it was discharged, it is recorded in the taser, but not when it is pointed. The date, the time and how long the taser is discharged is recorded by the instrument. Chief Kulhawik said that the department policy only allows the officer to hold the taser for 5 seconds.

Ms. Maggio asked about the newspaper article headline. She pointed out that Officer LaPore had reported that the break out was 8 white people, 8 Hispanic people and 9 black people. Chief Kulhawik commented that The Hour had taken the original AP story and edited in a different manner. Those figures were the ones that the State report.

Ms. Bowman stated that while the figures were basically even, technically the figure should reflect what the population is. She went on to state that if the African American population was 20% of the overall population, then they should make up 20% of those tased. If not, it should be flagged.

Ms. Bowman went on to say that she reports to the State Department of Education. The Charter School where she worked had a student population where the low income, and minor students were the majority because that was the target population the school was designed to serve. She mentioned that they had to bus some students out to achieve more diversity and sometimes that was just the way it worked out.

In these cases, the flag were more generic and this is something that everyone should work towards. The actual figures in the news article were not nearly as dramatic as the headline suggested.

Chief Kulhawik said that he found it disappointing that the State released the numbers knowing that they were not completely accurate and without telling the various police departments that they were releasing the information. He said that there was a website, trendsct.org, that lists all the Connecticut towns and has per capita figures and allows the viewer to sort and view the information in a number of ways.

Mr. Bonenfant asked about the use of the taser during the summer vs. the winter. He wondered if the effectiveness was different due to how the suspect was dresses. Chief Kulhawik said that the numbers just reflect the time the gun was drawn or discharged, not whether it was effective. If someone is wearing a leather jacket, the barbs will not penetrate. In order for the taser to work effectively, both the barbs must make contact.

Mr. Bonenfant asked if these units were like stun guns. Chief Kulhawik described the unit and how the device works to the committee members. When the stun gun function is used, it is pain compliance. When the barbs are deployed, the person is incapacitated. A suspect who is high on drugs or very drunk may actually be able to continue to function despite the pain, but will be disabled by the barbs.

The discussion moved to a particular suspect who was hit three times with stun gun and still was able to injure a number of officers. Deputy Chief Gonzales reported that during the transport to the hospital, the suspect had damaged both doors to the cruiser and the doctors had to sedate him in the vehicle before bringing him into the ER.

Ms. Maggio asked how the barbs were removed. Chief Kulhawik said that they can be easily removed, but the department policy is to have the officers bring the suspect to the hospital for removal.

Mr. Daniel Amoroccio, a resident of East Norwalk, said that he had reply to the article on line. He said that he was the brother of a state trooper and married to a statistician. He said that there were a large disparity in the figures. His first question was about the actual number of people that were tased. Ms. Maggio said those were the figures that Officer LaPore had given. Mr. Amoroccio asked if it was broken out by the number of officers that had utilized the taser. Chief Kulhawik said that he did not know if the State had tracked that.

Ms. Bowman replied that she worked with data as well and that if Norwalk was the second largest by weight, the City would have one of the largest disparities. Even using the figures of 8, 8, & 9; technically calling this a disparity, if African Americans and Hispanics make up 40% of the population, then they should make up 40% of those who are tased statistically. She said that these were the only things that could be taken from the article.

Ms. Bowman then said that even in the Number 2 position, there were not that many taser incidents. The fact that Norwalk ranked ahead of Bridgeport and New Haven indicates it is an anomaly and something is off. Her question was whether it was one officer who was using the taser more or spread over a group of officers who deployed the tasers. Clearly most of the Norwalk officers did not use their tasers. After re-reading the article a number of times, Ms. Bowman said that it raised a number of questions, but at least the Committee had done their due diligence and looked into the situation. Now the Committee members have some answers and it is always better to be on top of the issue rather than behind it. She said that she knew that steps were being taken to work on this.

Mr. Amoroccio asked if it would be fair to say that Ms. Bowman's statement that was posted at 8:30 a.m. the previous day would be retractable based on the actual fact that the information in the article was raw, pre-liminary data that had not been processed by the

statisticians properly. Ms. Bowman said that she would not retract it because Norwalk was Number 2, only behind Hartford and it is clear there is a disparity.

Mr. Amoroccio pointed out that were numerous factors that would be involved in each incident, such as what caused the officer to either draw or deploy the taser or why one suspect complied with the police while another one resisted, resulting in the use of force. He said that the data was not really accurate until it was actually processed. Ms. Bowman said that she would not retract her statement, but the police had answered her question regarding whether there were individuals who were inflating the numbers or if it was spread out evenly across the various officers who used the taser. The report prompts a number of questions, but the actual figures are facts.

Mr. Amoroccio asked if Ms. Bowman could provide anyone with other variables in the data that could support her claim. Ms. Bowman said that if there were 8 Caucasians, 8 Hispanics and 9 African Americans that were tased, and the population was approximately 40% African American and Hispanic, then the figures should reflect a 40% incident report. From those figures, Ms. Bowman said that the Hispanics makes up almost 2/3rd of the actual tases. It should be closer to a 1/3 of the tases. It depends on what they mean by a disparity, but those two things are fact. There may be other reasons for this, but those are the facts.

Mr. Amoroccio said that Norwalk's population was 78.43% white, blacks are 10.91% and Hispanic is 18.97%. He said that what she was essentially asking for was diversity in being tased. Ms. Bowman replied that even with being arrested, they say it should be a judgment of whether a police department is fair and impartial is that the arrests should reflect the make up of the city.

Deputy Chief Gonzales pointed out that when it comes to arrests, the officers do not pick and choose who will resist. Next year, it could be that everyone who was tased was white. And also, while everyone who resisted arrest and was tased were white, the department could actually have more African American arrests. He asked if that scenario would have a disparity. Ms. Bowman said that it would depend on the theoretical numbers that she was given. The disparity would be based on the statistically definition of what was under discussion. The missing piece may be that Caucasians were warned more often. This needs to be looked into. Chief Kulhawik said that they may have been warned and the officer did not have to fire the taser.

Ms. Bowman said that now that the department has body cameras, all this could be reviewed and analyzed as far as what an officer's definition of someone who is compliant or not compliant after their first arrest. She said that she had qualitative information from individuals who had been tased while in handcuffs. As far as the complaints go, she reported that she had been told of an individual who went to the police station and sat for three hours before their complaints were taken. These are some of the things that the department needs to look at to determine where the problem may lie. She said she did

not want to brush this off like Hartford's Chief of Police did. This needs to be looked into more because on top of the quantitative data, she does have qualitative data that suggests that there may be a particular officer who is tasing people in our community.

Mr. Amoroccio asked about the information regarding the officer who was using the taser more than others. Ms. Bowman said that were lists in The Hour. Mr. Amoroccio said that while he respected Ms. Bowman, he did not agree with her because she was not a statistician. Ms. Bowman replied that she was and had a Master's from the University of Pennsylvania in Social Science Research.

Mr. Amoroccio said that it was different from Statistics degree. He pointed out that usually, it was left to the professionals to deal with the preliminary numbers and provide the correct answers. But he had concerns when statements were made in a public forum and said that he may have gone a bit too far in his replies. He thanked everyone for their time.

Mr. Bonenfant said that when the figures were 8-9-9, that one increase in a column would represent a 10% increase because they were such low numbers. Ms. Bowman said that she thought there might be one or two officers that were using their taser more than others, it would inflate the figures. Chief Kulhawik said that they do track the taser use over the course of a year.

Ms. Maggio pointed out that the Police Department also has the ethnicity of the officer who uses the tasers along with the suspect who was tased, which might account for the disparity Chief Kulhawik said that they had that information. Ms. Bowman said that it would not change the disparity because disparity is looking at the composition of the population and even with the hiring of officers, it should reflect the population. Chief Kulhawik pointed out it should reflect the population of the available work force since not everyone wants to be a police officer. The department strives towards that goal. There are also job requirements such as a mandatory age and not have a felony conviction. He went on to say that since he has been Chief, the department has hired 32 police officers hired. 19 of them have been women and minorities, who are qualified.

Ms. Bowman said that she did not create the word disparity, but it would not change what they are looking at.

Mr. Sacchinelli said that the stature of the officer might also factor into the use of the taser rather than lethal force or the use of baton. He added that he would rather be tased than shot. He asked if there were any alternatives to tasing such as pepper spray. Chief Kulhawik explained that the officers don't use much pepper spray because there was a good chance that the officer would also be disabled by the spray. He said that the officers are trained to de-escalate the situation. Ideally, the officers don't want to use force. Using force requires filing a lengthy report. Mr. Sacchinelli said that the deployment opposed to the simple drawing of the weapon was the missing piece. Ms. Maggio said

that she believed it was drawn without 14 times. Mr. Sacchinelli said that they still did not know whether those were a single individual or spread out among a number of officers. Chief Kulhawik said that there were a number of factors involved in each incident, such as whether it was justified and the circumstances.

Ms. Bowman asked what would be a significant number of tasing by a single officer. Chief Kulhawik said that in 2014, he reviewed the officers who used more force, more taser use and other factors. There are officers who are out there and more aggressive. An officer who makes more arrests is likely to use the taser more. A recent study revealed that female officers used less force than male officers.

Ms. Bowman added that she would like to see the information by unit and also by shift. Deputy Chief Gonzales pointed out that a traffic officer is less likely to use force than a detective. If a Hispanic patrol officer preferred to patrol a Hispanic neighborhood, the statistics could then show that he was arresting more Hispanics than anyone else.

Mr. Amoroccio asked Chief Kulhawik if he had ever received a complaint about the discharge of tasers. Chief Kulhawik replied that in the last two years, none of the excessive force complaints had involved the use of a taser.

#### **OLD BUSINESS**

There was no additional old business to consider at this time.

#### **ADJOURNMENT.**

**\*\* MR. SACCHINELLI MOVED TO ADJOURN.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:47 p.m.

Respectfully submitted,

S. L. Soltes  
Telesco Secretarial Services