

**CITY OF NORWALK
HEALTH, WELFARE AND PUBLIC SAFETY
REGULAR MEETING
MARCH 23, 2017**

ATTENDANCE: Faye Bowman, Chair; Steve Serasis, Richard Bonenfant;
Eloise Melendez, John Kydes, Travis Simms (8:04 p.m.)

OTHERS: Diane Lauricella, Diane Cece, David Walenczyk, Norwalk Youth
Services Director; Jamie Bennetti, Early Childhood; Police
Chief Thomas Kulhawik; David McGuire, ACLU

CALL TO ORDER.

Ms. Bowman called the meeting to order at 7:31 p.m. She called the roll. A quorum was present.

APPROVAL OF MINUTES

**** MS. MELENDEZ MOVED TO TABLE THE MINUTES OF JANUARY 26,
2017.**

**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Ms. Diane Lauricella came forward and said that she was pleased to see item #2 in the Discussion Items about the complaint procedures. She said that she had asked around in different district and found that many people did not know how to file a complaint with the Police Department. She also asked if there was a way to submit an anonymous complaint. Both processes should be well known so that the public knows about it before something happens. She listed a number of sub paragraphs that could use clarification for the public. The best way to do this would be to form a Civilian Review Board that has residents and officials that would shine a light on various issues. She said that she had heard from some people that they felt their young teens had been pulled over more frequently.

Ms. Diane Cece came forward to speak about the Community Feedback Process and said that she was not sure why this was on the agenda. She said that for a long time, members of CNNA had been discussing the need to revisit this policy. She said that Internal Affairs indicated it reviews issues within the department, but having a Civilian Review Board would be better. Ms. Cece said that the Police Commission was composed of three people, one of which is the Mayor, and she felt that it should be increased to five members.

Ms. Cece said that there should be more public relations communications about this policy and make sure that there is outreach to the community.

Ms. Cece said that during the police department accreditation process, the residents can give input, but right now that input happens in the Police Department. She suggested that the resident feedback session be held off site so that the residents do not feel are not coming to the Police Department to complain about the Police.

NEW BUSINESS

1. Authorize the Mayor, Harry W. Rilling, to execute the contract between the City of Norwalk and the Town of Weston for the sum of \$15,000 per annum, to be paid by Weston to Norwalk for utilization of the Norwalk Juvenile Board Program (JRB) effective July 1, 2017.

**** COUNCIL MEMBER MELENDEZ MOVED THE ITEM.**

Mr. David Walencyk, Norwalk Youth Services Director, came forward to give the Council Members an overview of how the **Juvenile Review Board (JRB)** works. This is an alternative to sending these cases to court. The idea is not to punish but to understand what is going on in the family or school that caused the incident. He explained that Norwalk covers Westport also and usually gets about 10 Westport cases a year. They expect the same number of Westport cases again this year. This request is for Norwalk to enter into the same type of agreement with the Town of Weston.

Mr. Serasis asked for clarification about the \$15,000 fee for utilization of the program for up to 15 cases. Mr. Walencyk explained that if there were more than 15 cases, they would go back to Weston to discuss the issue.

Mr. Bonenfant asked if they would need additional staffing. Mr. Walencyk said that it would not require extra staffing. Last year, the Department requested a part time position be converted to a full time position. Right now there is a part time staff member working extra hours to cover the gap because the City has not had an Human Relations Director for a number of months. The conversion of the position from part time to full time needs to be negotiated with the unions. However, the Department is handling the current case load and feels they can add in Weston.

Mr. Kydes asked for clarification on the phrase "out of control". Mr. Walencyk explained that since most of the referrals come through a summons and if a juvenile is not following the actions required by the JRB, then the juvenile can be sent on to Juvenile Court. He listed some of the referrals that the JRB has provided in the past but added that the referrals were based on the individual needs.

Ms. Melendez asked what the age cut off was. Mr. Walenczyk said that the age was being raised to age 18. Ms. Melendez said that she had spoken with Mr. Walenczyk about the program and knew about the JRB. He said that the Governor has made a proposal to raise the definition of the age of a "juvenile" to age 20 or 21. She wished to know why some cases were send on to juvenile court. Mr. Walenczyk explained that if the individual successfully completes the course and remain trouble free for a year, the summons is held back.

Ms. Bowman said that it would be important to get this information out to the community. She said that she would check to see if she could get this on the Council agenda.

**** THE MOTION PASSED UNANIMOUSLY.**

2. Authorize the Mayor, Harry W. Rilling, to execute any and all documents necessary to apply for and accept the School Readiness Grant which includes the Quality Enhancement Grant for the period July 1, 2017 to June 30, 2018.

**** MR. SERASIS MOVED THE ITEM.**

Ms. Jamie Bennetti came forward and gave an overview of the School Readiness Grant.

Mr. Bonenfant asked for clarification on the distribution of the funds to the 14 different sites. Ms. Bennetti said that the Early Childhood Council decides where the funding. This year, the program wants the Council to seek out early childhood providers that are high quality programs and not already part of the School Readiness programs.

Mr. Simms joined the meeting at 8:04 p.m.

Mr. Bonenfant asked about what the funding is used for. Ms. Bennetti said that the majority of the funding goes to salaries for the staff who are required to have Bachelor's degree. It can also be used for rent or cots or other teaching materials. The various parties report back to the Early Childhood Council

Ms. Melendez asked if the process has changed recently. Ms. Bennetti said that they recently received five additional slots. Last year, Norwalk received 27 more slots. These slot assignments are based on the utilization reports.

Ms. Bowman asked how the members of the community would find out about the program. Ms. Bennetti said that there is an ad in The Hour and that it is also on the list serve and various other outlets.

Ms. Bowman asked if the program was limited to the low and moderate income families. Ms. Bennetti gave a brief summary and said that it was about 60/40 mix.

Ms. Melendez asked if this would be on the Council Agenda for Tuesday. Ms. Bennetti said that she had asked that this item be included on the agenda.

**** THE MOTION PASSED UNANIMOUSLY.**

DISCUSSION ITEMS

Norwalk Police Pursuit Policy

Ms. Bowman said that there recently was a pursuit in Norwalk that resulted in a fatality.

Ms. Bowman said that she would like to have a moment of silence for the young man who died in that accident. All those present respectfully stood and observed a moment of silence.

Chief Kulhawik said that there was a uniform pursuit policy for the State and Norwalk follows that policy. A pursuit occurs when an individual ignores the request of an officer to stop. He listed the various factors, such as traffic, weather, and the seriousness of the offense that would be considered by the officer when they evaluate whether to pursue. Their supervisors are informed immediately and the supervisors have the authority to conclude the pursuit if they feel that it is appropriate to do so. If a pursuit concludes successfully, the officer fills out the forms.

Chief Kulhawik said that there are other areas outside of Connecticut that have no pursuit policies. This sends a message out to the public that fleeing is the thing to do. In Norwalk, most of the pursuits happen with slow speeds and at late at night.

Mr. Bonenfant asked what the usual slow speed was. Chief Kulhawik said that it was around 20 miles an hour and usually involved DWIs.

Mr. Simms asked if a pursuit would involve probable cause. Chief Kulhawik said that the officers can pursue if there is suspicious activity, such as someone driving with their lights off. If the vehicle takes off when the officer approaches, the officer can pursue.

Mr. Simms said that he had some questions about the recent pursuit that ended with a fatal crash. Chief Kulhawik gave a brief overview of the incident and said that the State Police had obtained a video feed from an adjoining property owner that indicated the Norwalk Police vehicle was approximately 12 seconds behind the vehicle. Although Chief Kulhawik had been allowed to view this video, he did not have a copy of it.

He noted that in this particular instance, there had been some police activity going on in the area of Suncrest Road that did not involve the car that crashed. The vehicle caught the officer's attention when the driver pulled his vehicle around the police cruiser by

driving up on the sidewalk. The officer followed the speeding vehicle's trail but was significantly behind the car.

Ms. Bowman said that there were many unanswered questions about the crash and that no one may ever know what happened. Chief Kulhawik said that he had reached out to the family to inform them of the State Police findings before they were released to the public. However, the family did not wish to speak to him.

Mr. Simms said that he would like to know what steps the Department was taking to prevent this type of situation from happening again. Chief Kulhawik said that there was nothing that he could change in the policy that would stop the public from driving in a dangerous manner. His policy only affects the police officers.

Ms. Bowman asked if there would be anything he would change in the current policy. Chief Kulhawik said that he would not know until the State Police conclude their investigation. When the State Police conclude their investigation, it will be public information.

2. Community Feedback Process for NPD (Complaint Procedure, Commendation Procedure, Internal Affairs Contact, Community Survey, etc.)

Ms. Bowman said that it would be important that the community know how to file a complaint. Chief Kulhawik said that there was a State mandated policy for filing a complaint. He said that the procedure to either commend an officer or complain has been on the website since 1987. When the American Civil Liberties Union (ACLU) report was released, the website was updated to provide more information.

There are a number of ways to make a report including making one in person, anonymous tip line and via email. He then gave a quick summary of how the complaints are reviewed and handled. There were 50 complaints made in 2015 and in 2016 there were 21. This year there have been 2 so far. The ACLU report stated that Norwalk would not take an anonymous complaints. This is not accurate. Chief Kulhawik pointed out that an anonymous complaint against an officer is difficult to handle. Without names or other details, the complaints become very general and almost impossible to address. However, anonymous complaints are valuable if it involves department corruption.

Mr. Kydes expressed concern about the possibility of individuals who level false accusations against another person.

Mr. David McGuire came forward and said that in 2012, they had done a survey with the various departments about filing a department. He said that Norwalk has a method to file an anonymous complaint. He then added that the Police Officer Standards and Training (POST) Council had issued a policy and a form. Norwalk is in compliance. Last year, there was a community outreach and there was feedback from Norwalk residents that

they did not know they could file a complaint. In 2014, they did another survey of the top 10 departments and the uniform issue was that the desk sergeant did not have enough training about the complaint policy.

Mr. McGuire said that Norwalk provides the complaint forms in Spanish. He added that there was an area on the website where the statistics are available. The Norwalk Police Department already meets the State standards and exceeds them. However, he said that there was no mention on the form that anonymous complaints are accepted.

Mr. McGuire said that there was a warning above the area where someone signs their name that warns people about filing a false complaint. He said that people are often frightened to sign the form because of this.

Mr. McGuire said that there would be a hearing in Hartford soon about possibly having a uniform State wide complaint form.

Mr. Simms asked if there was a third party that someone could contact. Mr. McGuire said that the POST Council works on policy. He then said that most of the Civil Oversight Boards don't work terribly well.

OLD BUSINESS

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

ADJOURNMENT

**** MS. MELENDEZ MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:58 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services