

Civilian Oversight of Police Departments in Groton, CT:
Research & Analysis of Types of Civilian Oversight Structures

RTM Civilian Oversight Research Special Committee

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Introduction

The Civilian Oversight and Research Committee was formed with the charge to create a document of reference and recommendation for the Groton Representative Town Meeting, Groton Town Council, Town of Groton Police Department and community. The members of the committee examined local and state laws, interviewed members of town government and the town police department, researched various models of civilian oversight of police throughout the country and met with the Groton Town Council Public Safety Committee. This document discusses the information gained, options available to the Town of Groton, and ultimately the consensus recommendation of the Civilian Oversight and Research Committee.

In addition to what actions are available to the Town Council, the RTM, upon a majority vote of its total membership, shall have the power to propose to the Council any legislative ordinance or resolution. Pursuing a power of initiative is not an explicit goal or recommendation of this committee.

1. Historical Context

The concept of civilian oversight of the police is closely tied to the Nine Peelian Principles of Policing that are often referred to by a number of police academies across the nation as well as being directly referenced by the current chief of police in the Town of Groton, L.J. Fusaro. In 1829 Sir Robert Peel established the Metropolitan Police Force in London and developed the Peelian Principles which defined the ethical requirements police officers must follow to be effective. Those principles are spelled out in the appendix. The second principle, which states, “The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect” (Law Enforcement Action Partnership, n.d.) dovetails perfectly with the concept of civilian oversight of law enforcement.

Civilian oversight of law enforcement may be defined as a body that investigates, audits, or reviews internal law enforcement investigations or processes, including community complaints and use of force incidents. It may also conduct ongoing monitoring of law enforcement agencies’ policies, procedures, training, management, and supervision practices. The term “civilian oversight” includes any agency or process that involves participation in the aforementioned activities by persons who are not sworn law enforcement (Attard, B. & Olson, K., 2013).

Civilian oversight has often been seen as reactive. Agencies tend to be created after a high-profile incident or scandal in response to individual complaints. These reactive models review policies as a result of one or more complaints, emphasize legalistic rules and create administrative processes that can be seen as adversarial. These reactive models often recommend sanctions for individual officers and rely on deterrence to be effective.

Civilian oversight now typically includes proactive features such as exploring problems through investigation, data collection and analysis in the effort to identify underlying issues, trends and patterns. The proactive model focuses on organizational change, concentrates on reduction and prevention of misconduct, builds partnerships with law enforcement and creates bridges between law enforcement and the greater community.

There are currently thought to be approximately 166 active civilian oversight entities across the United States. Most large cities and large law enforcement agencies have oversight agencies, as do a growing number of small and mid-size cities, but no two entities are exactly alike. Civilian Oversight has been a prominent component in a number of United States Department of Justice settlement agreements (Attard, B. & Olson, K., 2013).

The complexities of social and political contexts make identifying successful practices employed in one jurisdiction and transferring them to another a challenging and unreliable task fraught with potential errors of interpretation and extrapolation.

The goals of civilian oversight do not lend themselves to systematic, comparative measurement. There is a lack of standardized definitions related to the data being collected and analyzed that make cross-jurisdictional comparison difficult, if not impossible. Simply stated: No two civilian oversight agencies are the same.

It is important to remember that in the field of civilian oversight, there are several possible paths to success. Development must allow for flexibility and contextual concerns, yet still take into consideration the crucial criteria that is needed to be successful and effective.

Oversight must take into consideration the core values and principles that should be satisfied to produce better outcomes. The diverse perspectives and wisdom of experienced practitioners should be valued. Stakeholder input and dialogue should be prioritized. Important questions need to be considered, such as:

- 1) Is this practice an appropriate “fit” for our local context?
- 2) How will this practice strengthen civilian oversight in relation to the thirteen principles for effective oversight?
- 3) What are the potential unintended consequences of implementing this practice?

Essentially, the onus falls to the community themselves, via their elected representatives, to determine which model and which features would best suit their community and their police department.

II. Basic Models of Civilian Review Boards

This section will generally describe the five base models of Civilian Review Boards (CRB). However, it should be noted that any particular CRB can have any particular array of features and functions attached to it, based on the political will of the community and the elected officials

that represent them. These categorical models are listed in order of least amount of civilian involvement and authority to the most comprehensive model, the police commission.

1) NO DIRECT CIVILIAN REVIEW BOARD (CRB):

Under this sort of model, oversight of the police department and its employees is restricted to elected officials and/or hired town staff. Generally speaking, policy and procedure concerns, complaints and any other critical issues are handled internally by the Police Department Administration, overseen by either a Municipal Manager or Municipal Elected Representatives such as Councilors and/or Mayors. In this situation, any citizen or group of citizens who file complaints or seek changes to police policy and procedure have to pursue their concerns through the internal mechanisms of the police department and/or petition the redress of their grievances with elected representatives or privately hired personal attorneys.

The civilian complaint process is statutorily mandated in the State of CT by statute and by Police Officer Standards and Training Council (POST-C). In the state of Connecticut, Police Departments cannot make up their own rules when it comes to their complaint processes. Civilian complaints are subject to the Freedom of Information Act (FOIA) once an investigation is complete, barring any obvious sensitive information such as complainants' and/or victims' names, vital information or anything of the like.

2) POLICE AND COMMUNITY COLLABORATIVE GROUPS:

This model category would be similar to the Police and Community Together Group formed by the City of Groton. As described by the body members in the minutes of their July 9, 2020, the purpose of the Police and Community Together (PACT) Committee is to a) provide community members a forum to voice concerns and expectations about their police department, b) continue an existing proactive community approach to address issues, c) improve police engagement to all community stakeholders, d) promote community, police and government partnerships to successfully implement and, e) complete strategies to meet community needs, identify and establish resources available to meet community needs.

This body has no authority to review investigative findings, act as an appeal board or issue comments on the findings, it serves primarily as a conduit and facilitator for conversation between the police department and community. The committee consists of community members, community agencies, police personnel and City of Groton employees with diverse skills, expertise and interests toward reaching the goals as defined by the committee. While the committee is expected to report to the City Council Public Safety Committee; the Mayor and City Council established the PACT Committee for the purpose of advising the Mayor and Council on issues relating to the police and community, The intent is to assist the police department with community outreach and to maximize the working relationship with input aimed to improve the City of Groton operations as a whole (City of Groton, 2020).

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3) CIVILIAN REVIEW BOARDS

This model would have features similar to the Police Community Relations Committee (PCRC) in New London, CT. This is a wide-ranging body consisting of individuals drawn from elected city government, police administration, police union representation, faith communities, social justice activist groups, advocacy groups and other community stakeholders. The committee has a role in reviewing internal investigations of civilian complaints, but has no authority to challenge the findings of the police chief. The committee reviews investigations only after they are completed and votes “adequate,” or “inadequate” on how they were conducted. This body’s meetings are open to the public. The subjects of these meetings have been discussed during New London City Council meetings as well.

4) CIVILIAN OVERSIGHT & REVIEW BOARDS:

This model would have features similar to the CRB established in Hartford, CT. The City of Hartford established a civilian police review board to hear public complaints against members of the Hartford Police Department. These inquiries are conducted independently and in such a manner that the public and the police department have access to the findings. This independent civilian complaint review board is composed of voting members vested with the authority to investigate allegations through independent investigators, of police misconduct, to review reports and conclusions of the Hartford Police Department's Internal Affairs Division to determine that they are complete, accurate and factually supported, and to make recommendations to the police chief and to the mayor in regards to discipline, rules and procedures or other manners of corrective action. (City of Hartford, 2006).

5) POLICE COMMISSIONS:

management and supervision authority over the Police Department of the Town of Stonington along with their property and equipment. It has the authority to make all necessary regulations for the government of the Police Department not contrary to state law. It may prescribe suitable penalties for the violation of any such regulation, including suspension or removal from office of any officer or member of the said Police Department. The Commission has the power of appointment, promotion and removal of the officers and members of the Police Department, under the regulations that it adopts for the purpose. Commission appointees shall hold office during good behavior and until removed for cause upon written charges and after hearing or until retired (Town of Stonington, 2001).

III. Current Model of Oversight in Town of Groton

Currently, oversight of the Town of Groton Police is handled by the town manager, to whom the chief of police reports. As per the interviews conducted with the town attorney, town manager and police chief, the processing of civilian complaints in the Town of Groton follows the sequence as described by Connecticut State Policy.

- 1) A citizen files a complaint and it is taken in by the supervisor.

2) The supervisor forwards it up to the deputy chief, who then assigns it a tracking number while preliminary review is done by the supervisor. The citizen is notified that the case is being investigated and given a date by which they can expect a finding to be issued. Examples of complaint and information request forms are included in the appendix and links to the documents are available on the town website.

a) If there is any possible conflict of interest, as determined by the deputy chief, then the case would be assigned to someone else. If a more robust and independent review is required, the deputy chief or chief can refer the case to an outside agency. In any case where any conflict may occur, these are reported not only to the Town Manager and Attorney, but also the State's Attorney, the chief law enforcement officer of the region. The State's Attorney office is the one who would designate an outside agency to which the conflicted case would be assigned (CORC Meeting Minutes, 10-07-2020).

3) This preliminary review is presented to the deputy chief and chief who can verify the findings or investigate further, as they deem necessary.

4) Once the department's investigation is concluded, it is filed with the Town Manager's office. The findings are then communicated to the citizen.

5) If the citizen chooses to contest the finding, their primary recourse would be to appeal to the Town Manager's office, the Town Council or their elected representatives on the RTM, who would likely refer the matter to the Town Council or Town Manager. The other recourse available to the citizen would be to hire a private attorney and pursue a civil action against the officer, department or town. Another form of recourse is to file a Commission on Human Rights and Opportunities (CHRO) complaint with the State of Connecticut.

IV. Oversight Options Available to the Town of Groton

This section is an extreme distillation of the options available to the Town of Groton, as determined by referring to the Town Charter, Town Attorney's Opinion on the Matter, the State of Connecticut Police Accountability Bill, other Municipalities' Resolutions & Ordinances and the interviews with the Police Chief, Town Manager, Town Attorneys and others over the series of Civilian Oversight Research Committees Meetings. All reference material can be found in the appendices or in the minutes of the RTM CORC meetings, on file with the Town Clerk and available through the website or by request to the office. The options that are available to the town will vary based on the timing with which any change may be decided upon in relations to when those options become available through the State of Connecticut Police Accountability Bill.

1) **NO DIRECT CIVILIAN REVIEW BOARDS:** Since this is the model Groton already has, there would be no ordinance nor charter change required.

2) CIVILIAN REVIEW BOARDS: This is a versatile categorical model, but with one key limitation. This body can be empowered to review investigative case findings and any other sort of incident reports, rules and procedures, along with data, trends and patterns. A body like this could also be empowered to publish their comments and ask for an articulated response from the Police Department on the reasons for their disciplinary choices. However, this model does not have access to the authority for initiating any further investigation or issuing subpoenas. For this model to exist in Groton, with any or all of the aforementioned features, would require a resolution or ordinance, but not a charter change. As such, it would likely have to be formed as a subcommittee to the Town Council.

3) CIVILIAN OVERSIGHT & REVIEW BOARDS: This categorical model could accept any number of additional powers, authorities or duties: the authority to review investigative case findings, all manner of incident reports, rules and procedures along with data, trends and patterns. It could also be assigned the authority to initiate further investigations and issue subpoenas for personnel and paperwork. For this model to exist in Groton, it could be formed as a subcommittee of the Public Safety Committee or the Town Council itself. Otherwise, to be formed in any other fashion, it would likely require a charter change of some sort.

4) POLICE COMMISSIONS: This model holds management and supervision authority over the Police Department along with its associated property and equipment. As a commission, it is expected to have the authority to craft regulations, prescribe penalties - including suspension or removal - along with the power of appointment and promotion. For this model to exist in Groton, the Town Charter would have to be substantially revised.

V. Committee Consensus and Recommendations

CONSENSUS GOALS:

- 1) To research civilian review and oversight models available to Groton that would serve to improve communications between the police department and community in an effort to ensure fair and just treatment for the citizens and officers in the Town of Groton. This would include significant efforts by the police department and the Town of Groton to continually collaborate with all of the community, particularly people in groups that have been historically marginalized
- 2) To protect rights & increase public confidence in law enforcement. Civilian participation in law enforcement is critical to maintaining the necessary levels of trust, respect and accountability for a safe town with an emphasis on continuing to provide an effective and professional police service for the community
- 3) To promote transparency, awareness and access to police policy and procedures, accountability for misconduct and accolades for acts of an extraordinary nature

- 4) To ensure continual training efforts, in compliance with state law and mandate, on de-escalation of conflict, mental health, implicit biases, and restorative justice. This would include observing patterns, reviewing trends and discussing police training
- 5) To provide information and recommendations for the Town Council, RTM and the community in regards to the subject of improving police and community relations

CONSENSUS RECOMMENDATIONS:

- 1) Civilian complaints and the associated findings should be visibly available on the town's website for the public to review
- 2) A Police and Community Collaborative Group would be the best next step for the Town of Groton. Although it would not provide direct oversight or review, this committee would build stronger relationships between police and the community, increase communication, and allow for the police and community to exchange ideas. The establishment of a collaborative committee including community leaders, the police department, town government, and members of the Groton community is a great first step. This collaborative committee can be designed in a way to open communication and make recommendations to the Town Council's Public Safety Committee.
- 3) To research options such as targeted community policing based on need, paid social workers as regular co-responders available for every shift, and funding for more training in defensive tactics, conflict resolution, de-escalation, use of force, and implicit bias.

Recommendations of individual committee members can be found in the appendix.

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APPENDIX A: RECOMMENDATIONS OF INDIVIDUAL CIVILIAN OVERSIGHT
RESEARCH COMMITTEE MEMBERS

Recommendation of Chairman Ian Thomas:

Goals:

- 1) To create a civilian review and oversight board designed to ensure fair and just treatments for the citizens and officers in the Town of Groton, regardless of whoever may be serving on the Town Council, as Town Manager or Police Chief. This Civilian Review Board (CRB) should serve as both a proactive and reactive body that seeks to foster better communication, understanding and responsiveness between community members & the police department.
- 2) To create a system in which it is standard operating procedure (SOP) to have the Town Manager, the Town Council Public Safety Committee and the Civilian Review Board review, on a regular and timely schedule, the following:
 - A. Civilian complaints with the department's investigative report & findings
 - B. Use of force incidents and reports
 - C. Weapons discharge incidents and reports
 - D. Any and all incidents that result in the hospitalization or death of a police officer or citizen who is either in police custody, in the process of being taken into custody or was involved with an immediate interaction with a police officer
 - E. Any and all complimentary communications or accolades from groups or individuals in town
- 3) To create a transparent and accountable process of regular civilian review and recommendations regarding policy, procedure, public disclosure of information, and issuance of discipline or commendations. This includes reviewing trends and discussing police training.
- 4) To create a CRB that has some level of investigatory and subpoena power that can serve as an appeal board for any aggrieved citizen who is dissatisfied with the PD investigative report and finding. (Caveat: this would be contingent upon the CRB holding its regular review of the case and finding some cause for allowing the appeal to go forward.)
- 5) To create a PACT-style CRB outreach group that holds regularly scheduled town-hall or pot-luck type community meetings to foster better sense of community and connection between citizens and police.

Discussion Points:

It is simply not a valid argument to dismiss the idea of a CRB on the basis of civilian volunteers not being qualified or experienced enough to determine any given police personnel's adherence to established policy and practices or those officers' good faith efforts and exercise of sound judgment. To be clear: there are already civilians in positions of power and responsibility over the police.

The Town Manager and Town Council all have the authority to oversee the police department, ask for investigations and file for subpoenas to summon persons and/or paperwork regarding any given concern. Nowhere in any of their job descriptions does it require the Town Manager or Town Councilors to attend a Citizen's Academy, Use of Force Training or any other explicitly instructive program to better understand the realms of reference on the police force.

Under the existing structure of minimal civilian oversight, that being the Town Council that oversees the Town Manager who, in turn, oversees the police chief who, in turn, oversees the officers under their command – as it stands, we already have minimally trained or untrained civilians that have the responsibility and authority to oversee the Police Department with the power of filing for subpoenas in their hands.

Oversight by civilians with minimal training already exists within the town. All the establishment of a CRB would do is broaden the base of diversity in life experience and thought to the process. A CRB could serve as an inoculant against institutional groupthink. It could also serve as a firm bridge of communication between the community and the police department. While having a PACT-style group gathering on a regular basis is a good social foundation, there is added value and validity in having a more formal side of the relationship as well.

It is my feeling that we need a system that does not depend solely on the good character, genuine intent and political goodwill of those involved. We need a system that can withstand the corrosive elements of political ambition, hostile intent or bad actors serving their own interests as opposed to those of the common good. A larger body of about 13-15 people would be more resilient and less likely to be taken over by any one political party, cult of personality or the more general, self-interest-driven corruption. In order to avoid any sort of drastic charter change, I recommend this body be formed as a subcommittee of the Town Council and would include the following:

6 Community Stakeholder Members (e.g.: Groton Youth Collective, Hearing Youth Voices, NAACP, Hispanic Alliance, ARC of Eastern CT, OutCT, 2-4 Retired LEO or otherwise LEO-trained and experienced civilians should be included in this number)

1 RTM Public Safety Committee Chair

1 Town Council Public Safety Committee Chair

1 Police Union Representative

1 Town Attorney (or designated liaison)

1 Town Manager (or designated liasion)

1 Police Chief (or designated liasion)

1 Town Mayor

I am aware of the Town Attorney's opinion that elected officials should not be on this body, but that opinion is simply that - an opinion. It is by no means binding.

I would recommended including the following features:

- The formation of a CRB "sister-group" similar to the PACT group in the City of Groton, where open-forum meetings and community conversations can occur in an informal but moderated manner.
- A pre-established discipline matrix that is public knowledge and pre-negotiated with the union and PD admin, as described by Attorney Moore during the joint TCPSC – RTM CORC meeting on 08-20-2020.
- Requirement for all civilian members to complete a Citizen's Academy session
- Requirement for all civilian members to complete a ride-along once a quarter for the duration of their tenure on the CRB (including RTM, TC and TM)
- Requirement for all civilian, town staff and police personnel members to attend no less than 75% of all possible Police and Community Together events (eg: coffee with a cop, PACT-style meetings, etc.). This, too, would include elected officials and town staff.
- Requirement for civilian members to join Police Administration and Officers in attending all appropriate training seminars, policy development panels on a rotating basis with the expectation that those members who attend will report back to the other who did not.
- Requirement of a quarterly review of any and all incidents of Civilian Complaints, Use of Force, Weapons Discharge or events that resulted in the hospitalization or death of a civilian, suspect or officer. These reviews will include the police administration presenting their concluded reports and findings while also making themselves available for questioning by the rest of the body. There would need to be some thought given on how to determine when a review is accepted by the body or flagged for further investigation or to otherwise indicate the body's disagreement with the finding. Some method of deliberation and voting would need to occur for this to happen efficiently.
- Requires anonymized quarterly and annual reports of all cases of the previously discussed four categories of reviewable reports to be posted on town and police website, along with the approval/disapproval votes and statement from the CRB and any further comment or statement from the police chief or union rep on the case.
- In regards to subpoena power, there is no need to assign a subpoena power to this body for the purpose of pushing an investigation further. I would recommend there be some thought

given on how the language could be written so that, if the need should arise, the CRB could vote to refer the matter to the Town Council Committee of the Whole, via an executive session, with a request to initiate a deeper investigation by whatever means deemed necessary by the Town Council, up to and including, hiring an independent investigator along with filing for subpoenas with the courts to summon the requisite personnel and paperwork.

- If any discipline is required, it should be prescribed by a previously agreed-upon and publicly-shared matrix, except for any case where the police administration (chief) applies their discretion to allow for some leniency or intensification. Either way, the chief would have to explain the reasons for this leniency or intensification to the body, on the record – but anonymized for all privacy concerns to be covered.
- Requirement of an annual Policy and Procedures Discussion with CRB and Police Administration where state mandated changes can be discussed, along with any proposed municipal level changes, as initiated by any member of the CRB, including elected officials, town staff, police administration or officers.
- Requirement to collect all relevant data to be made accessible via website that would allow the CRB and community to consider trends, patterns and tendencies.

Recommendation of Rep. Melinda Cassiere:

As the only member of the RTM and the Council who has held the position of a police officer, I would like to state the following reasons against an oversight or review board for the following reasons:

Across our country, police department policies, state statutes or laws, and the prosecutorial systems all look different. That is the landscape of our state justice systems - they reflect the state's views on law and order. Throughout the Civilian Oversight Research Committee's time reviewing Connecticut's laws surrounding police accountability, I believe it was very eye opening for my colleagues to see that Connecticut is a very regulated state in regards to oversight over police officers. Connecticut state statutes already dictate the handling of civilian complaints, they had already contained language that would not support officers if they acted in a willful or wanton malicious manner when using force on a subject, and they already highly regulated policing in this state. Because of this, every municipalities' policies and procedures in their police departments must reflect the high standards of state law leaving no room for "cover ups" or lack of transparency. Civilian complaints have been subject to FOI standards for many years.

After speaking with several members of the Groton Town Police Department, I reached the following conclusions:

The officers of the Groton Town Police Department have made it quite clear that they are not in favor of a police review or oversight board in any capacity. I strongly agree with them. Chief Fusaro has proven that this is a police department that has been nothing but transparent, willing to answer questions, and willing to work with this Council and RTM to address any questions or concerns about the conduct of its officers.

The largest concern or desire requested from both the CORC and the Public Safety Committee, has been the need for more transparency. The Chief has graciously provided both committees the entire compilation and results of every civilian complaint in his tenure and has committed to placing civilian complaints and their findings on the town website for more transparency factoring in anonymity and protections for complainants, victims, and officers. This is a perfect example of transparency and understanding of the concerns of the community.

The officers do not feel that they should have their job performances and civilian complaints determined by an untrained group of people. I strongly agree with them. Officers explained that for one policy alone it could be up to 30 pages of content to apply. For example, if officers were dispatched to a domestic violence incident their policy for domestic violence incidents alone could be 30 pages. If a use of force incident occurred during this event, this would add another 30 pages of content to know, understand, and know how to apply for one incident alone. This would mean that an untrained group of people would be required to know, understand, and apply potentially up to 1,000 pages of content. This doesn't factor in the months of police academy training, case law, hands-on training, and subsequent yearly elaborated training that officers receive throughout their career.

The men and women of the Groton Town Police department reinforced the incredible disregard of their trainings, professionalism, and knowledge to have to answer to a body of volunteers that are untrained and have no knowledge in the profession of policing. In any other complicated profession that requires extensive training and on-the-job experience, a member of that occupation would be judged by a body of their peers. Doctors are investigated by other doctors. In many professions, employees are subjected to reviews by their bosses and bosses alone. I would not know how to adequately review the work performance of a doctor, or anyone in the medical field for that matter, as I have not been to medical school or trained in a hospital or medical setting. I may be able to read a medical book and understand terms and procedures but this does not mean I understand how to apply these measures in my everyday professional life. It is easy to judge a professional by a 30 second clip on social media if we have truly not experienced this moment for ourselves nor if we have little to no understanding of policy, procedure, and law. There is a legal term called "totality of circumstances" that is used in case law in law enforcement. It is important to understand that social media videos do not fully present the totality of circumstances of both officer or subject encountering law enforcement. If you cannot fully see, hear, smell, or observe the surroundings of these officers than you do not fully understand the entire scenario. You will not truly understand the entirety of a situation until both accounts are fully examined and investigated by qualified individuals.

GTPD officers do not believe that any review board of any kind should have the ability to subpoena officers or evidence. Unqualified individuals could hear testimony and they could look at documents or video but with no full understanding of state statutes, policies and procedures, case law etc. then the ability to subpoena is of little use to them. For example, if a potential review board gets a complaint from an individual that feels they were unlawfully searched, the review board could view the body camera footage of the incident from one of our officers. An untrained eye could watch a video and see officers patting the pockets of a subject and think that the complainant must be correct; they were unjustly searched. Terry v. Ohio distinguishes the difference between a "pat down" and a search. If officers have a "reasonable suspicion" that a subject may have a weapon, then they may conduct a pat down of the outer clothing of a subject

for their safety. This is much different than a “search” of an individual. This is just one example of many complex issues that a board of volunteers would be required to know, understand, and apply.

The officers do not believe local government should have the ability to legislate their profession when members of the local government do not fully understand the complexities of the job itself. I can strongly attest to the fact that unless you have done the job of a police officer then you do not fully understand the responsibility and weight that it carries despite what degree you may carry, despite perhaps a relation to a police officer or member of the law enforcement community, and despite an interest in the profession. The job is incredibly unique even in the law enforcement community. I would not pretend to know the job or experience of a corrections officer or probation officer as I have never held those positions. Every position is unique to itself. This is also not written with any ill regard or disrespect. I think that a lot of the alarming topics I have heard discussed or nuanced have simply just been a product of a lack of understanding of the profession, the state statutes and law enforcement in general.

In regards to the argument of a “future” potential problem with police brutality or a distrust in a future post-Chief Fusaro town, I believe that one answer would be to potentially create an ordinance to require the police department to post their complaints and findings on the town website for full transparency; however, I don’t believe that an ordinance is even necessary considering the integrity and dedication that this Chief has shown to being transparent and community oriented. There can be many other solutions to concerns rather than resorting to an ordinance. Even in a post Chief Fusaro town, a group of volunteers with no training, no police service, and no legal background will ever be able to adequately and fairly judge the profession of highly trained and educated men and women.

There were also members of the police department that brought up the unfairness of being more highly scrutinized than other police departments and municipalities in the area. During the meeting with the department, the Chief emphasized how difficult it is to find qualified candidates in a pool of recruits that are being sought after by other municipalities in the area. If the Groton Town Police Department creates an ordinance that forces officers to be investigated by both administration and review board and forces them to be subject to subpoena several times for one complaint, this could create a scenario where qualified candidates begin to choose other police departments to work for if they know they will be investigated twice for one complaint.

Other issues regarding oversight or review boards affecting VICTIMS, COMPLAINANTS, and OFFICERS:

My two biggest areas of concern in regards to forming any type of oversight committee are that of A. fairness and B. due diligence.

I hope to shed light on some —of what I believe to be — crucial areas of concern that others without law enforcement experience or background would not necessarily think of in regards to investigations, interviews, and trauma and the importance of creating a body of oversight that is fair for all parties and fulfills its due diligence to all those involved in the complaint system.

The following are several topics that I would like to speak more about in regards to oversight committees that conduct investigations, review, or have subpoena powers:

1. The Town of Groton would have to use its due diligence to the residents of the town, the police officers that serve our town, and the complainants that feel that their due process was violated to create a civilian oversight board of neutral parties.

In a town that admittedly already has problems with finding volunteers to serve on boards and commissions, I hesitate in giving an oversight board the added burden and responsibility of conducting investigations into officers and their conduct when the Town of Groton has a difficult time finding people to serve on other boards and committees.

With that being said, the town will have to make sure it completes its due diligence in finding members to serve on this board that are as neutral as possible to the law enforcement community. For example, the Town of Groton would not serve the residents of this town, the police officers who serve this town or complainants against the police department by giving investigatory powers to a whole body of people that claim to hate law enforcement or to have a strong distrust in law enforcement. The body would also not be fair or just if the entire board was made up of family members of the law enforcement community. Therefore, the town will have an extra responsibility of finding people to serve on this committee who are the right fit and understand that serving on a board, in this capacity is a large responsibility that will force them to maintain some sort of neutral understanding reviewing sensitive police matters.

2. It is our responsibility to make sure that there is enough interest from residents within our community to fill a board like this with unbiased people.

3. Board of Investigation vs. Review Board

It is important to understand that if the town commits to creating a body of people with the authority to investigate police civilian complaints, for the sake of both fairness and due diligence, that body will need to investigate every complaint in the same manner. For example, the board would need to conduct a full investigation for both the person complaining about receiving an unjustified infraction as the person complaining about a use of force incident.

The board would not be able to ‘pick and choose’ which complaint they wanted to oversee or investigate due to the issue of fairness. Deeming certain investigations more important than others would be incredibly unfair to people who make complaints about the police department and to the police officers who serve our community themselves. Picking and choosing could create issues of officers feeling as if they were being singled out for investigations over others. Also, not choosing a complaint over another could let individuals believe that their voice does not matter. The only resolution to this would be to require an investigatory board to conduct a thorough investigation on every single complaint.

A complaint that seems incredibly self explanatory could still take weeks to investigate. For instance, if there was a complaint in regards to a person not believing they should have received an infraction that investigation would still require certain actions:

A. Evidence would have to be reviewed. This could include reviewing body cam footage, dash cam footage, and possibly cell phone footage if the complainant or a witness recorded the incident themselves. Audio would have to be reviewed including the radio transmissions of the officer involved in the complaint.

B. Documents would have to be reviewed. Documents would include the infraction that was issued (the officer generally writes a synopsis on the back of the infraction), any reports written, any memorandum written by the officer after the complaint was made, any CAD notes etc.

C. Interviews would need to be scheduled and completed in a timely fashion. This would include interviewing the complainant and any witnesses (passengers in the car or observers who watched the motor vehicle stop). Police officer interviews are still questionable, as I am not sure that would actually occur or not.

This would be simply for a complaint in regards to a motor vehicle stop. Any other type of incident could take much longer to complete. This is a lot of work and time for a volunteer of a board to commit to. This is not necessarily my discouragement of recommending the formation of a board like this; however, I think it is important for our committee to be realistic about what this board should look like. It is our responsibility to let people know what they have signed up for.

4. Parallel investigations could prolong the complaint process for both complainant and officer. Also, a second investigation could subject a complainant to unnecessary trauma.

If there are two investigations occurring simultaneously, that is a lot of unnecessary burden on a complainant to have to be interviewed twice: one time by professionals and a second time by volunteers who may not know how to interview in a manner that takes in account trauma and re-victimization. When people interview complainants who have experienced trauma, they could be more harmful to this cause by asking insensitive questions.

Also, having a second complaint process occurring while a professional complaint process could make the process take longer. If this board meets once a month and can only conduct business once a month, then the likelihood that an investigation could be done in a timely manner is very unlikely. This could potentially discourage people from making complaints if they felt that the complaint process was too long. This is also subjecting police officers to having investigations hanging over their heads for an unnecessarily long period of time when they could have their own internal investigations cleared within a timely fashion.

5. Professional investigations vs. Investigations by volunteers

Police are paid professionals who attend a police academy and subsequent subjective trainings on investigations and interviewing procedures and techniques. The administration officials who generally complete these investigations are veteran officers who have completed

several promotional exams and trainings to get to the high ranks that they are within the department. Even with the town providing training and crash courses on any of the relevant subject matters, a board of volunteers will never nearly be as qualified as the paid professionals to conduct adequate investigations.

It is also a burdensome amount of content for volunteers to learn in short periods of time. For example, if the board was given the responsibility of investigating police policy and procedure, the board members would need to know the police department general duty manual (New London's GDM is over 1000 pages of content). Taking on this task and learning basics on interviews, investigations, use of force, case law, CT general statutes etc. is a very large responsibility for a board of volunteers.

What I Propose:

1. A PACT-style group bridging the gap of communication between police and community.
2. Complaints and findings being visible or available to the public on the town's website. With the complaint and investigation findings posted for all to see, I believe this is the key to the transparency that the public craves without inserting untrained individuals into the duties of career professionals. This also doesn't require the town to have to search for volunteers to review the complaints. If there were any questions or concerns, a community member could reach out to the police department themselves to inquire about findings or during a PACT-style meeting.
3. Funding for the police department to commit to more officers for targeted community policing based on need, paid social workers on town staff exclusively for the purpose of responding to police calls with officers for every shift, and committing to and funding more trainings in defensive tactics, use of force, and implicit bias etc.

Recommendation of Rep. Susan Deane-Shinbrot:

The Civilian Oversight Research Committee has been tasked to research the parameters of how a Police Oversight Review Board would be established and the guidelines of the established boards' jurisdiction.

After weeks of thoughtful engagement with a wide variety of individuals and much research I have come to understand that a review board still needs extensive research. It's unclear as to whether and how such a board, if even necessary, would be established in the Town of Groton.

As of now, I am not convinced that the Town of Groton needs a Police Review Board. I do not feel, at this time, a police review board would be beneficial. Understanding that such a board is a major leap into uncharted territory for our town, establishing such an entity should not be taken lightly. I have not seen any indication that the Groton Town Police are in any way an improperly functioning department. I believe the officers are well trained, the chief has the respect of his officers and the community, and I believe the State of Connecticut has tight regulations and controls.

I agree with Rep. Cassiere and Rep. Gauthier, I find their assessments of the review boards' establishment to be on target with thoughtful evaluation.

Recommendation of Rep. Bruce Flax:

The Town Council has an established safety committee. The Town attorneys have weighed in, stating that there are limitations to what exactly can be established moving forward. After hearing from the Chief, it is clear to me that he has the best intentions for the Groton Citizens and Police Department. He is not trying to hide anything and seems to be open to anything the Town establishes, within. To my knowledge, there has not been any serious incident since LJ has been in the Chief position, and I don't think that is an accident. LJ certainly will not be the last Chief in Groton, so we should want to ensure that out of all the things he has implemented that we consider to be the right path be written up so that future chiefs and Police officers are held to this high of a standard.

Moving forward from here, I see implementing practices that support transparency, from everyone (Police, Citizens, Council, etc.). It is smart to take another step in establishing additional protocol ensuring safety for all, while at the same time continuing to build the bridges between the Police and the citizens of the Town. I am in favor of establishing a Safety Oversight Committee under the following guidelines:

- If legal, have the Committee be a subcommittee of the Council Safety Committee and have it report up through the Council, Town Manager and Chief.
- The committee should be made up of Police, Citizens (could be in the form of RTM members from each District), Community Leaders to include Clergy, Social Worker, etc.
- There should be no Discipline Authority, that should remain with the current channel (Town Manager and Chief)
- After it is established and a mission statement is developed, they would meet quarterly with a special meeting as needed (should an incident arise).

I believe that as noted in the Civilian Oversight of Law Enforcement presentation and document noted, Groton PD already has achieved some of the stated goals of Civilian Oversight including an accessible complaint process, transparency and accountability. The presentation talks extensively to the inability of applying one set of practices in one jurisdiction to another.

Groton is Groton, it is not anything else. As such, it needs its own set of policies, unique from others cities and towns but with the appropriate pieces from each. We need to ensure that whatever is implemented is the right fit for our community.

Based on the complexity of our policing community – it seems to me that the established committee and accountability should extend to all police departments in Town. To exclude any is not completing, fully, the task at hand.

I believe there needs to be inclusion of, and buy in from, all forces operating in Groton including the Town, City, GLP, Amtrak, Avery Point, Navy and DEEP. The suggestion of any of them to not be involved could negate the future of any such Oversight Committee. The only recognized municipality in the State of CT is the Town of Groton. There needs to be cooperation from the other law enforcement agencies.

There has been talk of a survey. I do not think a survey is necessary.

Recommendation of Rep. Lauren Gauthier:

The National Association for Civilian Oversight of Law Enforcement states that the goal of community-oriented policing is “to utilize problem solving techniques to work in a cooperative effort with the community to proactively address concerns.” I would extend that to specifically include the goal of increased trust between the community and the police, so as to create an environment of mutual respect.

From the discussions and research of the Civilian Oversight Research Committee, my first recommendation is that the Town Council conduct a community survey prior to the establishment of any type of body that would have authority or oversight of the Town of Groton Police Department. Establishing such a body without the full input of the community may create unintended consequences that lead to less trust and more divisiveness between the police, the community, and town officials. Engaging the community via a survey and potentially follow-up workshops will best reveal the community desire for an oversight authority and the structure of how it would be established and administered. Presuming that the community at large desires this type of body without due diligence in outreach will not produce the intended results.

If the intended result is to increase trust, communication and cooperation between Groton residents and the Town of Groton Police Department, I recommend the following format of any Police-Civilian Communication Committee (PCCC).

1. Duties and Powers

The PCCC would take on a similar style as the Police and Community Together Committee established in the City of Groton. The primary duties would be to provide community members a forum to voice concerns and expectations about their police, proactively address concerns by making policy recommendations, and identify, create and promote resources to address community needs. The body would meet at a determined interval to conduct work to these ends, hear citizen’s comments and complaints, and hear reports from the Town of Groton Police.

When deciding which powers to grant members of the PCCC, consideration must be had of the time of the volunteers and the scope of the body’s work. Rep. Cassiere made excellent points when discussing disadvantages of having volunteer civilians conduct investigative work of complaints and police conduct. The primary issue being an inability of a volunteer member to conduct interviews and investigations that do not retraumatize complainants, do not unfairly treat any party, and do not violate any police officers’ protections under law or union contract.

As such, powers could include receiving complaints from citizens, either written or verbal, formal or informal and having these complaints received by the Town Manager as opposed to the Chief of Police. This would provide a mechanism for people who feel uncomfortable submitting a complaint to the police directly to still communicate their experience.

The body would also have the power to request reports and data from the Town of Groton police on any topic, subject to existing laws. This would include long-ranging and in-depth research and report generation, with input from the volunteer members.

The body would have the power to recommend policy changes or additions to the Town of Groton Police and to the Town Council. The emphasis being public safety, these recommendations may cover police procedures and programs, community resources offered by the town, and collaborations between the Town, the police, other governmental and community organizations and local businesses. When a recommendation is made, a formal written response from either the Town Council or the Town of Groton Police must be given to the body detailing why or why not the recommendation will be adopted, without discrimination against further similar recommendations.

2. Membership of the PCCC

Proper determination of the membership of the PCCC is imperative to ensure that all stakeholders are represented and that there are enough individuals to share the workload. The Town of Groton does not have the budget to hire an individual or individuals to conduct investigations or audits of the police department, therefore the members would be volunteers. The Town of Groton has a noted issue with filling vacancies on existing boards and commissions. The PCCC structure must ensure that the volunteers that would perform the work and the government officials that would be participating would not be overburdened or cause excessive vacancies or absences. Number of members would also depend on duties of the PCCC.

My recommendation would be, should a CPOB be established, that the membership include the following individuals:

1. Town of Groton Town Manager or their liaison
2. Town of Groton Police Chief or their liaison
3. Town of Groton Police Union representative
4. A member of the Town Council Public Safety Committee
5. A member of the Representative Town Meeting Public Safety Committee
6. Six members of the community, that represent a cross-section of race/ethnicity, gender, age, and background. Members would serve for a two-year term, with no term limits.

This makeup provides for responsiveness from elected and town officials that have direct impact on the management of the Town of Groton Police Department, representation from the Town of Groton Police Department, and majority representation from Town of Groton residents.

The highly professional and service driven officers of the Town of Groton Police Department are an asset to the town. I believe that the lack of serious or heinous incidents of police misconduct are a testament to a well-run, transparent and accountable police department. Civilian participation in law enforcement is critical to maintaining the necessary levels of trust, respect

and accountability for a safe town. The tenor of any PCCC should be a collaborative tool and proactive partnership to continue the current community policing measures that are successfully protecting and serving Groton.

Recommendation of Rep. Autumn Hanscom:

Overall goals

To protect human rights

To increase public confidence in law enforcement

To provide transparency and accountability

Groton is taking an important first step by initiating the creation of a police oversight committee. I fully support this effort but have a few areas to address:

1. Make the process fully inclusive: I think this entire process should involve input from the greater community (not just RTM and Town Council members). This will help us understand the needs of the Town, while also raising awareness about the new committee.
2. Less emphasis on individual cases: While I agree with the importance of civilian oversight, I would hope that the committee has time to accomplish many other things besides individual cases. This includes reviewing trends, discussing police training, strengthening connection with the community etc.
3. No Subpoena power: While this may be necessary somewhere down the road, I don't feel it is needed at this point. I also believe this will simply strain the current relationship between police and the community.
4. Communication: I want to stress the importance of open communication and transparency once the committee is created and functional. There should be clear outlined expectations as information flows between the committee and the police force.
5. PACT style collaboration option: At this moment, I feel that a specific PACT style committee would be the best fit for the Town of Groton. Although it does not provide direct oversight, PACT committees build stronger relationships between police and the community, increase communication, and make recommendations.

Also, weighing all aspects of this issue, I do understand that creating an oversight committee is met with some fear and stress among Groton Town officers. Change is sometimes difficult, but I feel this is a necessary change. We appreciate our current police force and I think we should acknowledge that.

Recommendation of Rep. Kate Richards:

Goals

These goals are mine and based on the Civilian Oversight 101 training webinar by the National Association for Civilian Oversight of Law enforcement (NACOLE).

- Emphasis on an effective and professional police services for the community
- Accountability for misconduct
- Transparency in procedures
- Significant efforts by the police department to continually communicate and collaborate with all of the community, particularly people in groups that are marginalized
- Continual training efforts on de-escalation of conflict, mental health, implicit biases, and restorative justice

Personal Thoughts and Recommendations

There are many possible ways for the Town of Groton to respond to nation-wide concerns about police misconduct and racial injustice. The RTM Civilian Oversight Research Committee is tasked with exploring these options and sharing the findings with the RTM and Town Council Public Safety Committee. Two critical parts to this undertaking are the reduction of unintentional (and intentional) discrimination and the support of effective and professional policing.

It is certainly important to think carefully about the specific needs of the Groton community and police department in crafting any oversight, but I caution against taking any action that doesn't also recognize how Groton is interconnected with neighboring areas and the country as a whole. We know that implicit biases and systemic racism are present. We know that rules are broken sometimes. Let's prioritize community involvement, transparency and accountability. We can recognize the commendable work of our police department and build on it by proactively inviting the community to interact, have a greater voice, and develop creative solutions.

To that end, the establishment of a collaborative committee including community leaders, the police department, town government, and other stakeholders is a great first step. This collaborative committee can be designed in a similar way to the one newly created by the City of Groton to open communication and make recommendations to the Town Council's Public Safety Committee. The purpose of this committee is not police oversight, but the building of relationships, increased communication, and to make recommendations. Monthly or quarterly meetings, and additional special meetings as the need arises, create a regular time for connection between the members and community at-large. There is a need to build trust and communication between the police department and the Groton community. I may not have concerns based on my own experiences, but I recognize that my experiences as a white woman will be different from others and I also recognize that there is not much diversity on the RTM CORC committee, the RTM as a whole, within the Town government or within the Town's police department. We need new ways to listen and to gain perspectives that may be marginalized.

A priority of a collaborative, PACT-style committee must be to reach out to the multiple geographic areas and peoples who live here to learn more about current concerns and understand everyday challenges. If there is a significant desire for civilian oversight of police complaints a review board is a reasonable next step. After examining the research presented by NACOLE, it seems best to first form a review board that has the function of reviewing how civilian complaints against the police department are addressed by the chain of command that is currently in place.

What might a review board look like? Someone who is not content with the outcome of the complaint could bring the incident to the review board. At that point, the review board would evaluate how the complaint was handled, including the investigation conducted and any disciplinary action that was taken, and make a statement about whether or not the review board agrees with the outcome or recommends a different action. It would be a recommendation, not an authority to discipline the individual itself or perform its own investigation. The review board would also examine quarterly reports of complaints and make recommendations as needed. The success of a review board like this will depend on the people who are on the board and their commitment to education on the subject and the time needed to do the job well. The members of the review board should include a representative from the police department and people in the community that are diverse in their race, ethnicity, gender, sexual orientation, socio-economic status, religion and other statuses.

There exists some concern that it would be difficult to find enough people who are knowledgeable about civilian oversight and policing policies to have a board that would be competent in its tasks. I think that if enough people are telling the PACT-style collaborative committee that a review board is needed it would also indicate there are enough people dedicated to be trained, if not already, and prioritize its work. The laws and procedures regulating police conduct are numerous and complicated, so a member of the review board that is designated by the police chief (as one is in New London's version) could help to share and explain a law enforcement perspective on the board. The review board would not be determining disciplinary action, but instead assessing how objective and proportionate the outcome was to the conduct of the police officer. It can make a public statement and recommendations.

There are calls to increase the authority of New London's current review board, called the Police-Community Relations Committee that has responsibilities similar to both the PACT-style group and the review board proposed here. This is because it does not have the ability to do its own investigations, subpoena powers, or require certain outcomes. If the Groton community voices a desire for a review board, I think what I have suggested here is a good start and will educate the community on what civilian oversight can be while seeking input from the community. If there is a pattern of the review board making a recommendation to take stronger action for civilian complaints and if those recommendations are not given significant weight by the police department, I would support a change to add more authority.

At this point it is important to note that current civilian oversight efforts are not in reaction to wrongdoing by members of the Town of Groton's police department. The town supports its police officers and the challenging work they do every day. I am also pleased that the police chief prioritizes implicit bias training, encourages de-escalation, wants more of a community-

policing orientation, and seeks to train officers about how to best intervene in mental health crises.

A PACT-style collaborative committee is based on the idea that the whole community, including police officers, are safer when there is trust, respect, and open communication. If the community supports a review board, that board would not replace the current procedures. It would instead be an outside perspective on civilian complaints about police conduct. An outside perspective that is not part of the institution itself has an advantage, as it does not have the other ties and obligations that someone within the institution has due to their position. There is a sensible argument to support a further check on the authority and power that comes from the role law enforcement plays in society in its use of force and detention.

I hope that together the police department, town government and community can take our current national turmoil as an opportunity to become more strongly committed to peace and equity and to become more closely knit.

Recommendation of Rep. Jill Rusk

We have spent weeks considering whether a Civilian Oversight Committee needs to be established. Before establishing a new committee, its true purpose and actual boundaries must be fully understood. It has already been determined, for example, that such a committee would not have direct power over the police department or the ability to enforce accountability. That power already rests with the chief of police, the town manager and, ultimately, the Council.

What a civilian committee could do, however, is provide a channel to the Council for the specific purpose of enhancing the public's relationship with the police. As with other committees, this would create a conduit for public voice and advise the Council on trends and potential problems, as well as make recommendations for improvements. A committee could meet quarterly or as needed to review the internal police documents such as those provided by Chief Fusaro; motor vehicle stop statistics, use of force data, etc.

This act of transparency on the part of the police would permit the committee to make its own assessment of whether the data suggest trends of concern. These concerns can then be brought before the town manager and Council in a public meeting to be addressed. Additionally, the committee could be the forum for citizens to address dissatisfaction with how their specific complaints were resolved by the police department. To further champion transparency, the committee could host an online portal for accessing police statistical data as well as provide multi-lingual information regarding redress procedures.

A Civilian Oversight Committee, as described above, is one part of the equation and is by nature reactive. The police and the community should also be taking a proactive approach to improving relations. A joint conversation including police and resident stakeholders could take the form of a monthly public meeting, in which all voices would find a forum to share concerns and expectations. This would be an open channel for residents, business owners, clergy, community organizations, etc., as well as the police to prevent problems from festering and enhance community policing efforts.



TOWN OF GROTON

POLICE DEPARTMENT CIVILIAN COMPLAINT REPORT



Please give this completed document to a Police Supervisor or send it to the Chief of Police of this agency at the following address or email: Chief Louis J. Fusaro, JR, Groton Police Department, 68 Groton Long Point Road Groton, Connecticut 06340. Email: lfusaro@groton-ct.gov

Date of Incident	Time of Incident	Date Reported	Time Reported		
Location of Incident					
Complainant's Name		Complainant's Address (Street, City, State, ZIP)			
Complainant's DOB	Complainant's Home Phone#	Complainant's Work Phone#			
Complainant's Cell Phone#		Complainant's E-mail			
Employer		Occupation			
Employer's Address		Employer's Telephone			
Name of Person Assisting Complainant	Address	Telephone			
Employee Complained about (if known): (Name or physical description, Badge #, Car #, etc.)					
Witness Information (Name, D.O.B., Address, Telephone #, etc.)					
Please provide answers to the following questions:			YES	NO	UNSURE
1. To your knowledge, was all or any part of the incident complained of video or audio taped by anyone?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you afraid for your safety, or that of any other person, for any reason as a result of making this complaint?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Has anyone threatened you or otherwise tried to intimidate you in an effort to prevent you from making this complaint?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Are you able to read, write and speak the English Language?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. If your answer to Question #4 is "No" or "Unsure", have you been provided with adequate language assistance to help you understand and fill out this form?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX C: CT PUBLIC ACT 20-1 AN ACT CONCERNING POLICE
ACCOUNTABILITY EXCERPTS, TOWN CHARTER EXCERPTS

CT PUBLIC ACT 20-1 AN ACT CONCERNING POLICE ACCOUNTABILITY EXCERPTS:

Sec. 17. (NEW) (Effective from passage) (a) The legislative body of a town may, by ordinance, establish a civilian police review board. The ordinance shall, at a minimum, prescribe: (1) The scope of authority of the civilian police review board; (2) the number of members of the civilian police review board; (3) the process for the selection of board members, whether elected or appointed; (4) the term of office for board members; and (5) the procedure for filling any vacancy in the membership of the civilian police review board.

(b) Any civilian police review board established pursuant to subsection (a) of this section may be vested with the authority to: (1) Issue subpoenas to compel the attendance of witnesses before such board; and (2) require the production for examination of any books and papers that such board deems relevant to any matter under investigation or in question. (c) The provisions of this section shall not be construed to affect the operation of, or impose any limitation upon, a civilian police review board established prior to the effective date of this section.

(d) Upon receipt of a written request from the Office of the Inspector General, established pursuant to section 33 of this act, a civilian police review board shall stay and take no further action in connection with any proceeding that is the subject of an investigation or criminal prosecution that is being conducted pursuant to said section or section 51-277a of the general statutes. Any stay of proceedings imposed pursuant to this subsection shall not exceed six months from the date on which the civilian police review board receives such written request from the Office of the Inspector General, and such stay of proceedings may be terminated sooner if the Office of the Inspector General provides written notification to the civilian police review board that a stay of proceedings is no longer required.

GROTON TOWN CHARTER EXCERPTS:

CHAPTER IV. REPRESENTATIVE TOWN MEETING

Sec. 4.5 Power of Initiative. The RTM, upon a majority vote of its total membership, shall have the power to propose to the Council any legislative ordinance or resolution except an ordinance or resolution appointing or removing officials or specifying the compensation or hours of work of officials or employees or pension or retirement agreements or expressly directing the Council to appropriate funds. Ordinances or resolution submitted to the Council by power of initiative of the RTM and passed by the Council without change shall not be subject to a referendum of electors in the Town. If the Council fails to adopt such ordinance or resolution without change within forty-five (45) days after such proposed ordinance or resolution shall have been filed with the Council, it shall be submitted to the electors, who may adopt or reject the same at a referendum held within ninety (90) days after such proposed ordinance or resolution was originally filed with the Council.

CHAPTER V. THE TOWN COUNCIL; ORDINANCES

Sec. 5.4 Powers and Duties.

5.4.1 General.

As the legislative body of the Town, the Council shall have the powers and duties conferred by CGS on councils and selectmen, other such powers and duties as specifically provided in the Charter, and excepting those specifically assigned to the RTM under Section 4.1.2 of the Charter.

5.4.2 Agencies, Authorities, Boards, Commissions and Committees.

The Council shall have the power to create or abolish agencies, authorities, boards, commissions and committees (ABC), departments and offices and to define the powers, duties and responsibilities thereof, provided the same are not inconsistent with the Charter or pre-empted by the CGS, and to provide for the preservation of order, peace, safety and health of the Town and its inhabitants; and the Council may contract for services and the use of facilities of the state or any political subdivision thereof, or may, by agreement, join with any such political subdivisions to provide services and facilities, in which case departments and offices created by the Charter, the functions of which are transferred under the terms of such a contract or agreement, may, by ordinance, be abolished.

5.4.3 Regulation of Agencies, Authorities, Boards, Commissions and Committees.

The Council is responsible for the proper function and operation of all offices, and ABC which it fills by appointment, but not their decisions.

CHAPTER VII. THE TOWN MANAGER; DEPARTMENTS

Sec. 7.2 Powers and Duties

The Town Manager is the Chief Executive Officer of the Town and shall be directly responsible to the Council for the administration of all departments, agencies and offices in charge of persons appointed by the Town Manager and shall supervise and direct the same.

The Town Manager shall see that all laws and ordinances governing the Town are faithfully executed; shall make periodic reports to the Council and shall attend meetings with full right of participation in its discussions but without vote; shall prepare and cause to be printed, as soon as possible after the close of the fiscal year, an annual town report, which report shall include all the information required by the CGS, and such other information as the Town Manager in his/her discretion deems advisable together with such information as the Council may direct be included in said annual report; shall recommend to the Council such measures as the Town Manager deems necessary or expedient; shall keep the Council fully advised as to the financial condition of the Town; shall prepare and submit to the Council an annual budget and shall exercise such other powers and perform such other duties as may be required of the Town Manager by ordinances or resolution of the Council not inconsistent with the Charter.

APPENDIX D: SIR ROBERT PEEL'S 9 PRINCIPLES OF POLICING

From the Law Enforcement Action Partnership

1. The basic mission for which police exist is to prevent crime and disorder as an alternative to the repression of crime and disorder by military force and severity of legal punishment.
2. The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect.
3. The police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain public respect.
4. The degree of cooperation of the public that can be secured diminishes, proportionately, to the necessity for the use of physical force and compulsion in achieving police objectives.
5. The police seek and preserve public favor, not by catering to public opinion, but by constantly demonstrating absolutely impartial service to the law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws; by ready offering of individual service and friendship to all members of society without regard to their race or social standing, by ready exercise of courtesy and friendly good humor; and by ready offering of individual sacrifice in protecting and preserving life.
6. The police should use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient to achieve police objectives; and police should use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.
7. The police at all times should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police are the only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the intent of the community welfare.
8. The police should always direct their actions toward their functions and never appear to usurp the powers of the judiciary by avenging individuals or the state, or authoritatively judging guilt or punishing the guilty.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with them.

APPENDIX E: NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT PRINCIPLES OF EFFECTIVE POLICE OVERSIGHT

[Presentation Slides: Civilian Oversight 101](#)

[Webinar Recording: Civilian Oversight 101 - Presented August 6, 2020](#)

“There is no right answer as to what an effective police oversight body “must” look like. As many of the FAQ’s point out, flexibility is key. You can still get to the right outcome through different mechanisms. However, here are some features, some tangible, some not, which are key to effective police oversight:

1. Independence. The oversight body must be separate from all groups in order to garner trust by being unbiased.
2. Adequate funding. Oversight bodies must have enough funding and spending authority to fulfill the duties set forth in the enabling legislation. This includes enough money for adequate staff and money to train that staff.
3. Access to all critical pieces. This includes access to all necessary information and evidence in an investigation, but it also means access to decision makers in both the law enforcement agency and elected officials.
4. Rapport. The talent, fairness, dedication, and flexibility of the key participants- in particular the oversight director, chief elected official, police chief or sheriff, and union president. The rapport between the chief players can be far more important to the success of the oversight system than the systems structure. [\[1\]](#)
5. Ample authority. Whatever the oversight model chosen, it must have enough authority to be able to accomplish those goals.
6. Ability to review police policies, training and other systematic issues. Many see this as one of the most important roles an effective oversight agency can have. This ability shifts the focus on being reactive to past events to proactive with the possibility to resolve issues before they begin.
7. Community/Stakeholder Support and Outreach. Maintaining community interest is important for sustaining an agency through difficult times when cities or government jurisdictions may need to cut services for budget reasons. [\[2\]](#)
8. Transparency. Systematic reporting provides transparency and accountability to the community, and typically includes complaint analysis and other observations about the law enforcement organization and its practices. Reporting also increases public confidence in the oversight agency, as much of the work related to complaint investigations may be confidential and protected from public disclosure.[\[3\]](#)

[\[1\]](#) [1] Peter Finn. [Citizen Review of Police: Approaches and Implementation](#), p. xi (Nat’l Institute of Justice 2001).

[\[2\]](#)<http://nacole.org/wp-content/uploads/Oversight-in-the-United-States-Attard-and-Olson-2013.pdf>

[\[3\]](#)<http://nacole.org/wp-content/uploads/Oversight-in-the-United-States-Attard-and-Olson-2013.pdf>”

APPENDIX F: COMPILATION OF RESOURCES FOR FURTHER INFORMATION

[National Association for Civilian Oversight of Law Enforcement \(NACOLE\)](#)

This is an organization that is currently offering free webinars. Their own description of their work is:

The National Association for Civilian Oversight of Law Enforcement (NACOLE) is a non-profit organization that brings together individuals and agencies working to establish or improve oversight of police officers in the United States. NACOLE welcomes people and organizations committed to fair and professional law enforcement that is responsive to community needs. NACOLE, established in 1995, is incorporated under the laws of the State of Maryland. The organization has an elected board of directors, which is composed of individuals in the field of citizen oversight of the police. The board manages the organization pursuant to a set of by-laws. NACOLE is dedicated to promoting greater police accountability through the establishment or improvement of citizen oversight agencies by:

- organizing an annual training conference to increase the knowledge and skills of staff members and volunteers who work in oversight.
- act as a resource to jurisdictions considering the creation or revitalization of oversight bodies.
- identifying best practices as they emerge from the experiences of members.
- encouraging networking, communication and information-sharing to counter the isolation inherent in the profession.
- furnishing information to government officials and community representatives that will support their advocacy of oversight in their states, counties, cities and towns.

General information about how to make a complaint about police in CT (this may be affected by the Police Accountability Bill signed into law August 2020): <https://uwc.211ct.org/police-complaints-connecticut/>

ACLU Connecticut article “For Civilian Review Boards to Work, They Must Avoid Past Mistakes” - <https://www.acluct.org/en/news/civilian-review-boards-work-they-must-avoid-past-mistakes>

CT Division of Criminal Justice - You can access reports on the use of force by police officers at this website: <https://portal.ct.gov/dcj>

NPR News Report on Racism in Small Towns and Suburbs in CT

<https://www.wnpr.org/post/racism-small-towns-and-suburbs-connecticut-0>