

MINUTES

**SPECIAL MEETING AND PUBIC HEARING
OF THE BOARD OF DIRECTORS
Tuesday, June 8, 2021 - 7:00 p.m.
LINCOLN CENTER HEARING ROOM**

PRESENT: Mayor Moran, Directors Conyers and Marois and General Manager Shanley.

ABSENT: Secretary Castillo and Director Bergin.

REMOTE: Deputy Mayor Jones, Dougan, Floyd-Cranford and Schain, and Attorney Sullivan.

1. MEETING CALLED TO ORDER.

The meeting was called to order at 7:00 p.m. All in attendance, and virtual, participated in The Pledge of Allegiance to The Flag, led by Mayor Moran.

EXECUTIVE SESSION - The Board went into Executive Session at 6:30 p.m. to discuss Personnel. Present were Mayor Moran, Directors Conyers and Marois, General Manager Shanley and Deputy General Manager Stephanou. Present remotely were Vice Chair Jones, Directors Dougan, Floyd-Cranford and Schain. The Executive Session adjourned at 6:50 p.m. No votes were taken.

APPROVED - Motion to appoint Director Floyd-Cranford as Acting Secretary for tonight's meeting.

Jones/Dougan

7 Voted in Favor

2. Public Hearing for a proposed Ordinance to establish a Civilian Police Review & Relations Board.

a. Brief Presentation on Ordinance

General Manager Shanley explained that some members of the Board of Directors were looking to establish some form of police oversight in Manchester. Given the State Legislation that passed last year, it offered the opportunity for municipalities to establish a civilian police review board. The Board would like this named the Civilian Police Review & Relations Board to put the emphasis on relations.

This ordinance establishes the Civilian Police Review & Relations Board to a) Promote public confidence in the professionalism and accountability of the Manchester Police Department through the unbiased review of the investigation of complaints filed against any Manchester police officer, b) To provide a timely, fair, and objective review of complaints and the manner in which they are investigated, c) To promote positive interactions and establish and maintain trust between the community and the police, d) To serve as a forum to discuss, study and offer advice regarding use of force policies, e) To serve as a forum to discuss the nature of interactions between residents and public safety, f) To serve as a forum to discuss alternative responses to people experiencing mental health concerns and/or substance misuse for department consideration, g) To accept, in addition to the department's process, complaints from residents regarding the conduct of officers of the Manchester Police Department and/or ancillary agencies acting in conjunction with or on behalf of the municipal agency, h) To request and receive informal reviews of any incident that is of concern to the body or its Chair, and, formal investigations to complaints, by vote of the body if necessary, and i) To review the

recruitment process for officers, and training as it relates to equitable and unbiased treatment of all members of the public, and provide advice on same to the General Manager, Human Resources and Police Department. Those are the goals assigned to this ordinance.

This has been a collaborative process of Board members discussing and debating these goals. It is important that, as drafted, the leadership of the Police Department is supportive of the concept in trying to structure a review and relations board that will be effective. The proposed ordinance continues to respect the Town Charter and it does not interfere with the collective bargaining agreement that the Town has with the police union. The ordinance is very dependent upon the quality of the people that are appointed to it, which will be a very heavy responsibility of the Board of Directors. It is quite comprehensive and can serve the Town well if properly appointed.

b. Public Comment

Mayor Moran thanked the numerous residents who sent emails to the Board of Directors on this topic, some in favor and some against. He thanked them for their respectful comments. He noted that due to the number of residents signed up to speak this evening that each will have 3 minutes to comment.

Guillermo Alcover, 204 Eldridge Street, believes forming this board is a small pebble forward toward building relations between police officers and the community. As a veteran who has survived multiple tours of duty, he was disheartened to come back to our country and see civilians, including juveniles, treated the way they have been by police forces across the country. This is a very small step forward.

Ben Weidner, 320 Hilliard Street, is in favor of this review board, but it is critical that this review board be given subpoena powers. If there are any former police officers appointed to the review board, they need to have been off the force for a minimum of five years. Forming this board is a really important step for Manchester.

Mark Tweedie, 107 Steep Hollow Lane, is in support of formation of this review board but has some concerns. His experience with the Manchester Police Department, one of the finest in the State, has been very positive for many years. He does know some people who have had negative incidents with the police department but it is a very small percentage of the interactions the police have had with the community. The Manchester Police Department has done many things to make residents feel one with them. This review board could be very positive for Manchester but the make-up of the board is critical, and members should go through a vetting process comparable to jury selection.

Brett Tower, 31 ½ Foster Street, has called upon the officers on numerous occasions through the years and noted he and his family were always treated with respect and concern. He found all the officers to be of the highest caliber. He appreciates the support given to his children by the School Resource Officers as well as neighborhood officers. Police departments around the country have gotten a lot of bad press but Manchester has a diverse, highly motivated and compassionate group of officers that work in a highly stressful job. He does believe this review board is a good idea if done properly by the right group of people, but agreed there should be a vetting process for members.

Elizabeth Kline, 60 Valley Street, is concerned that the formation of a review board may mask or distract from the importance of truly changing how we approach public safety. The ordinance states this board will have advisory only capacity, which is not true accountability and Manchester residents deserve more. The review board should have the power to discipline and fire any officer without interference from the Police Department. A truly independent review board should be elected by the population, not appointed by the Board of Directors and should not include any former police officers,

as they don't represent someone fully separate from the police. The ordinance states this board would serve as a forum to discuss alternative responses to people experiencing mental health concerns. Understanding mental illness is a full-time job, not something a police officer could become an expert in on a part-time basis. Resources currently allocated to the Police Department should be reallocated to support a separate mental health response team.

Christopher Hopkins, 34 Hoffman Road, retired from the Hartford Police Department in 1994, after many years on the force. Though most civilian review boards have failed in the past, he does feel they can be successful with the right people as members. It is important to have someone on the board who understands the laws and protocols when answering a police call. On many of the calls that police respond to, they don't have all the information they need until they get there. He would like to be considered for a position on the review board.

Angela Bellas, 126 Lakewood Circle North, has spoken before the Board of Directors in the past about police accountability and true public safety. She asked to remember Jose Soto who was shot and killed last April by police officers in Manchester. We must radically transform how we approach public safety in towns across our country. Independent oversight of the Manchester Police Department is long overdue. To operate effectively and transparently and to hold officers fully accountable, a civilian review board needs robust investigative and subpoena powers. It must have the authority to take direct disciplinary action or determine disciplinary guidelines that the Police Chief would be required to follow. In addition, Manchester must establish a mental health crises team fully independent of the Police Department. To ensure full independence, former police officers should not be allowed to serve on the review board.

Laurel LaPorte-Grimes, 25 Jeffrey Alan Drive, noted establishment of a police review board can be an important step to ensure our police force is accountable to the community and that the community's perspective can be heard when there is an issue of police overreach, abuse or violence against community members. This review board will provide a place for community voices to be heard. It will provide a place for accountability when harm has been caused and a way to identify areas where systemic change is necessary. She applauds the Board of Directors for taking this on, but in order for this review board to be effective, it needs to have subpoena power and the ability to enact real consequences. Former police officers, who are grounded in the norms and procedures of policing, should not be able to serve on the review board. If done properly, an effective review board can be a positive step in providing accountability and working toward systemic change with respect to policing in Manchester.

Keren Prescott, 75 Farm Drive, is outside the Hearing Room with supporters of a civilian review board. There are three types of models for civilian review boards: investigation-focused models, review-focused models, and auditor-focused models. In order for Manchester to have a successful and equitable review board, we need to include pieces from all three review models. Members should not be former police officers, related to police officers or related to any elected or appointed official. We need to recognize the history of policing across the country, as well as right here in Manchester. There are Black and Brown residents in Manchester who have been victims of racial profiling and others who refuse to support community engagement because of the history of policing in this Town. Marginalized and oppressed groups need to be represented on this review board.

Linda Harris, 60 Brookfield Street, supports a civilian review board in Manchester. As part of the African American and Black Affairs Council, she has met with Chief Darby on numerous occasions. This review board needs to be an independent functioning entity that has subpoena power. Actions of

this board need to be transparent and accountable. Members of the review board must be able to provide feedback to the Police Chief, Board of Directors and Town.

Mayor Moran noted that **Richard Blade**, 63 Glenwood Street, who planned to speak this evening but was unable to connect to the meeting, sent him a message in support of the review board which he said should have a minimum of 10 members with 4-year terms.

Director Marois noted **Kathleen Reynolds**, 46 Turnbull Road, is not in support of a review board. While things can always be better within the community, especially in today's tense environment, this is an overreach and is unnecessary.

3. Discussion and approval of an Ordinance establishing a Civilian Police Review & Relations Board.

General Manager Shanley explained that this ordinance does not violate the Town Charter and it is consistent with the collective bargaining agreement with the police union. Some of the comments made this evening for changes to the ordinance would have serious impacts on both of these. This ordinance offers the opportunity of oversight but does not interfere with the negotiated collective bargaining agreement or Town Charter.

Director Schain stated this ordinance, a positive step forward for Manchester, strikes the right balance and right approach to oversight of our Police Department. The intent of this review board is not anti-police and it will not inhibit the ability of the Police Department to do their jobs. It will give us more transparency and accountability in how our Police Department operates, which will serve us all well. To those who are looking for more investigatory powers and subpoena powers, he urged them to give this model a chance. Don't underestimate the ability of this new board to influence police policies and procedures through discussion. If there are issues, airing them through the process created by this board will have real influence and real power.

Director Floyd-Cranford stated things are not fine status quo. This is not an anti-police ordinance or an attack on policing, but is a necessary step toward police reform. We must include the community when it comes to policing all citizens equally. We need accountability and transparency in order to improve the often times unfair treatment of people of color. We hear the concerns of the community and we are taking the first step in building more trust and accountability in the community. Note the title includes the word relations. We want to build relationships between the community and the police. She talked about the many deaths that have occurred of people of color at the hands of police across the country. Forming this review and relations board is a pebble, as a resident so powerfully put it, of what hopefully will become a bigger stone of accountability, and eventually have more bite such as subpoena power. We have to start somewhere. This was done in good faith as a way to build bridges between the Police Department and every citizen in Manchester. She fully supports this ordinance.

Director Conyers supports the intent of this ordinance but he has some questions regarding the process and selection of members. He asked if public complaints would go directly to the review board or if it would go through the Police Department. He also asked Chief Darby to describe the current complaint and investigation process, and what his thoughts are on working with the proposed civilian review board. It is important to get input from the public but also from police officers and police leadership.

General Manager Shanley stated according to the ordinance a complaint could go to either the civilian review board or to the Police Department. The Manchester Police Department has a well-

established complaint process but there are some people who are hesitant to go through that process, so this would give them the choice to go directly to the review board.

Chief Darby stated if someone makes a complaint, verbal or written, to the Police Department it is made to a supervisor and is sent up the chain of command to the Division Captain. Lower level complaints such as rudeness may get handled at the division level. More serious violations are referred to the Chief and are investigated by the Internal Affairs Lieutenant. The Police Department has always been open and transparent, and has always held employees accountable for their conduct. Discipline may include counselling, verbal or written reprimand, suspension, demotion or termination. The Police Department has met with community groups and leaders to discuss their policies and procedures or to discuss specific incidents of concern, which can include sharing its case reports and/or video to ensure a full understanding of what happened. The Manchester Police Department has been a nationally accredited agency since 1989, which puts policies, procedures and best practices in place, and national experts review the work of the Department.

Manchester police officers do good things every day in our community but never get any recognition for that, which is very frustrating. They work with MACC, CHR, Youth Services, PAL program, toy drives, mentorship and many other programs. He has heard people say this is not an anti-police ordinance, but he has heard from many officers that it feels like one. He supports being open and transparent and has no fear of people reviewing what the Manchester Police Department does. They take police accountability and transparency very seriously. He is frustrated to hear people say this is just the start and that they want more power and more control over what the Manchester Police Department does. This is a good way to get better insight into how police operations are conducted. Once they have insight, they will have greater confidence in the Police Department. He is worried that if the civilian review board is not handled properly that it would have negative effects on the Police Department, including the ability to hire new officers. The criticism of policing nationwide has had a negative effect on the number of individuals who want to go into the profession.

Director Conyers has heard some comments this evening regarding this being the first step in the process and the desire of some to give the review board subpoena power in the future, which he disagrees with. He asked if such a decision would have to be brought back before the Board of Directors for a vote. It is important that members of the board have direct responsibility to the voters in the way that an elected official has but an appointed official does not.

General Manager Shanley explained that once members of this review board have been seated, they will have the opportunity to read complaint reports and internal investigations. He personally feels that the members will be very impressed by the degree of self-critique that the Police Department does. Subpoena power assumes that there are professional prosecutors who know how to do a proper investigation. The collective bargaining agreement and the way discipline for police officers has been negotiated, and the way that the Charter reads with respect to discipline, did not envision a review board, so changes to police discipline would have to be negotiated. If this board works well, it will be about relations, oversight and understanding. It is important to recognize the complexity of law enforcement, the job that we ask our officers to do, and the restraints and constraints on the way they are trained.

Director Floyd-Cranford stated the Board of Directors does acknowledge the good work of the Manchester Police Department, but Manchester is impacted and directly affected by the national crisis of police brutality and over policing of people of color. We can't pretend these things are not systemic. Part of having a civilian review board is so that we can have honest dialogue. It is disappointing when people are offended and don't feel we acknowledge all the good work that the Manchester Police

Department does for our community. That is not why we are here. This review board is to help prevent the incidents we have seen across the country from happening here in Manchester. Having a review board should not deter the right people from applying to become police officers in Manchester. She also works in a highly scrutinized profession and some people quit because they aren't comfortable having a lens on the work that they do. The lens of this review board will look both ways, so that people who wear the badge can also understand where people of color are coming from. This board can be looked at as a way to bridge understanding between the Police Department and our community.

Director Marois thanked the many residents who have reached out to the Board of Directors on this proposed review board. He thanked the Manchester Police Department for all that they do to keep our community safe. They have a gold standard through The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), which is extremely difficult to attain. He asked for clarification on the scope of authority for the review board and asked if the review board has any additional powers than a resident who asks for information about an incident.

General Manager Shanley stated the work of the civilian review board cannot conflict with the Charter or the collective bargaining agreements. The Charter clearly states the Police Chief and General Manager have the responsibility for discipline of police officers. The power of the review board is the ability to have a discussion with a group of people including members of the Police Department, where they can review in detail, if they feel the need to, the reports and ask questions or ask for additional information regarding an incident.

Director Marois stated the part of the ordinance that states "provide for the safety and well-being of all members of the public is by providing professional, high-quality public safety services with a well-trained police force operating with appropriate transparency and accountability to enhance trust" implies that the Police Department is lacking in these areas.

Mayor Moran explained that because of what is going on in the country, some people have lost trust in the police. The purpose of this review board is to bring police and the community together to gain trust. He'd like Manchester to be the shining example of how policing and the community can work together.

Director Marois is unsure how an unbiased review board will be appointed when current members of the Board of Directors have been very vocal and biased against our police, even calling police officers murderers publicly. He is worried about the moral of police officers if this review board is formed.

Director Floyd-Cranford stated she referred to Derek Chauvin as a murderer. Citizens of Manchester will not sit back and allow policing to escalate to the level of national tragedies against people of color. We are creating a police review board to ensure that nothing like this happens in our community. Many residents of color have reported to Board members and to Chief Darby that they feel they were treated unfairly by officers. There is a problem in Manchester where there is unfair policing of people of color. We have had some issues with police officers and as Chief Darby said, some were let go or they resigned. There has been a string of murders across the country and we are trying to prevent that from happening in Manchester. This is about building relationships with our police. We need to change the systemic way that police have historically treated people of color. When some of our residents do not trust our police officers, we need to make a change.

Director Dougan asked why the Board of Directors is looking to form a civilian review board at this time. She has concerns of politicizing this review board. She heard someone say earlier that this review board can help to build a bridge of understanding between police and residents, but statistics she

has read indicate the opposite and that a review board brings negativity. She hopes the review board will bring light to the quality of the work that our Police Department does for this community on a daily basis.

Vice Chair Jones stated the string of events across the country has increased the level of intensity around this issue. The death of George Floyd, the death of Jose Soto and the passing of the police accountability bill at the State level all led to this proposed ordinance. There are residents who have expressed concern about the sense of humanity by interactions with police. It has been a topic of discussion with some Board members for quite some time.

Mayor Moran stated we are being proactive in creating this review board. If we build relationships between the police and community residents who are hesitant to go directly to the police about a situation, than maybe we can help to alleviate some of their hesitation.

Director Dougan is unsure of the Democratic Party's intent for this review board. She asked if they eventually see this board as having subpoena power, which she is concerned could compromise policing policies in Manchester. She doesn't want to see that happen. She stressed the importance of choosing the right members for the review board, including retired police officers who have the knowledge of the policies and limitations of the law. She also has concerns with opening up the Charter for review, as she is unsure of the reason for doing so. It is her hope that there isn't an intentional power play that goes on with these two commissions.

She asked for clarification of the civilian review board meetings and if they would be held as executive sessions or whether they would be open to the public. She noted there was an external investigation into the Jose Soto killing and asked if this board would take over that type of investigation.

General Manager Shanley explained there the review board can hold executive sessions but they must comply with state laws as to what can be discussed in executive session. If they are discussing specific incidents or a specific officer, that would need to be done in executive session. The investigation of the Jose Soto case was an independent criminal investigation of the police officers involved to determine whether or not they were criminally liable in the actions that they took. This board would not do that. This board would review internal investigations and be able to ask questions about the investigation. The review board would be available to hear the concerns of the community and would also be able to provide the community with education on the policies and constraints of the Police Department.

Mayor Moran noted that §400-5 Duties; scope of authority; standard of review states that "reviews of internal investigations shall be in Executive Session; all actions will be in public session".

Director Dougan asked if it was a consideration to ask the Town to vote on whether or not a civilian review board should be established. She noted Indianapolis took the idea of forming a civilian review board to the taxpayers for a vote.

Attorney Sullivan explained the Board of Directors is the appointing authority to determine whether to establish a civilian review board.

Vice Chair Jones thanked everyone involved in crafting the ordinance, Chief Darby and other Police Department leadership for being a part of this meeting and the residents and fellow Board members for their feedback. It was important to have a standalone meeting on this important topic. She is somewhat disappointed in earlier discussion. This Board has supported Manchester police officers and believes in working together with the Police Department for the good of the community. When we see

that there are gaps and disconnects, we want to help in repairing them. Board members have all had interaction with many members of the police department. Creating a body that can bridge the gap with the community is about seeing each other as team members and having a sense of humanity and understanding. Board members each have his/her own personal opinion but we are here to represent members of our community, and this ordinance is to address the concerns of community members. Members of our community have expressed a desire to see something different from the people who serve them, including the Board of Directors and all Town departments. It is our responsibility as elected officials to share those concerns and to work together to address them. This Board not only supported the Police Department's contract extension, but we asked for a clause in that contract to be reviewed to address the concerns of the police officers.

The concerns expressed by colleagues this evening about how appointments will be made and who will be appointed to the Civilian Police Review & Relations Board shows disrespect to fellow Board members. The many people who have worked on this ordinance for months have had numerous important, truthful and difficult conversations to get to this point. This ordinance is a step in the direction of the Board responding to the many residents who believe that status quo is insufficient for our community. This allows us to see our way forward together. It's a hopeful position, not a punitive position. It is a unifying position, not one of separation.

APPROVED - Motion to make the following technical changes to the draft before us:

Section 400-2 Purpose

Section I. 3rd line - there is an extra space and a missing comma between Human Resources and Police Department

Section 400-3 Membership; compensation; qualifications; terms; alternates

Section A line 4 - No member of the Civilian Police Review <insert & Relations> Board

Section 400-4 Staff Liaisons; officers

Section C line 2 - insert space between "date of"

Section 400-5 Duties; scope of authority; standard of review

Section B. Line 3 - there should be a space inserted between completed and investigation. Line 5 there should be a space inserted between to time (last two words of the clause).

Section 400-8 Stay of proceedings; effect of settlement agreements

Section D line 1 - Insert a comma between B, or C

Schain/Floyd-Cranford

7 Voted in Favor

Vice Chair Jones appreciates the comments made this evening about qualifications and conduct of those appointed to this review board. The clause as written in terms of training is perhaps not as clear as it should be. She offered an amendment to Section 400-7. This would be in addition to but does not substitute for the orientation and training process once someone is on this Board.

Director Dougan asked for clarification on the proposed amendment to Section 400-7.

Vice Chair Jones explained that any resident that has gone through the training would be eligible for appointment to this board for up to two years and then would have to repeat the training if they were not appointed. If they were appointed, they would not need to repeat this training but are subject to

additional training requirements. This would allow any resident who has an interest to experience this initial training offered by the Town about the roles and responsibilities of this Board.

Director Marois asked if the training would be done by the Town or the Police Department.

General Manager explained Town government would create the training. He asked Vice Chair Jones if this would mean that there would be no appointments until such time as these trainings occur. He asked what this training would be. He did note we currently do the academy which is a pretty good primer on what the Police Department does.

Vice Chair Jones explained this training would be on the roles and responsibilities of the civilian review board and what the requirements will be once someone is appointed.

Mayor Moran asked if the training will also include a discussion of what the role of the Police Department is.

Vice Chair Jones stated training on the role of the Police Department is quantified in the first clause of section 400-7 of the ordinance. The amendment she would like to add (as Section 400-7 C) addresses initial training on what the roles and responsibilities of the civilian review board members will be. This will provide a wider net of opportunity for residents to participate in and to gain an understanding of what a civilian review board does.

General Manager Shanley's only concern is that the Board of Directors would then be unable to appoint someone who they feel is a good candidate for this review board if they haven't gone through this initial training. There would be one training to be eligible to be on the review board and then a more in-depth training once they've been appointed.

Director Conyers noted the importance of ensuring that the training for this board is communicated well to the general public.

Mayor Moran noted there will have to be several vehicles of communication.

General Manager Shanley stated no appointments would be made until such time that at least three of these trainings have been conducted.

APPROVED* - Motion to add a clause to Section 400-7 Qualifications and conduct.

* After consultation with the Town Attorney's office, it was determined that the motion failed because all votes require a minimum of 5 votes for approval.

C. No person shall be appointed to the Civilian Police Review & Relations Board unless such person has participated in an initial training offered by the Town. Such trainings shall be properly noticed and offered no less than three times in the six (6) months preceding a local election. Any resident of Manchester shall be eligible for these trainings and upon completion deemed eligible for appointment for up to 2 years.

Jones/Floyd-Cranford

**4 Voted in Favor
3 Voted Against.**

Director Marois asked if these changes are made to the ordinance if there now has to be another public hearing on it.

Attorney Sullivan noted the amendment to the ordinance is not substantive enough to require another public hearing on it.

Mayor Moran noted the Board of Directors does support the Manchester Police Department. We approved the Police Department's budget and on the extension to the contract. His hope is that this ordinance will create a better relationship between the police and the community. There were a lot of comments tonight about civilian police review boards not working, but let's show everyone that Manchester can be the community that does it right. Let's be the community where there is trust between the police and the community.

Chapter 400

CIVILIAN POLICE REVIEW & RELATIONS BOARD

WHEREAS, Among the many ways the Town of Manchester seeks to provide for the safety and well-being of all members of the public is by providing professional, high-quality public safety services with a well-trained police force operating with appropriate transparency and accountability to enhance trust; and

WHEREAS, transparency and accountability are critical to ensuring that police are acting in the interest of the public they serve and a Civilian Police Review & Relations Board to monitor the legal and proper internal investigation processes, and outcomes of investigations of external and internal complaints filed against police officers for serious breaches of rules and regulations, or violations of law, and, such transparency is supported by the Manchester Police Department leadership if consistent with the Town Charter and Collective bargaining agreements; and

WHEREAS, Public Act No. 20-1 authorizes the legislative body of a town, by ordinance, to establish a Civilian Police Review & Relations Board.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF MANCHESTER THAT:

Section One. (NEW) Chapter 400 of the Code of the Town of Manchester is established by adding the following article.

ARTICLE I Civilian Police Review & Relations Board

§400-1 Establishment.

A Civilian Police Review & Relations Board is hereby established as authorized by section 17 of Public Act 20-1, as that Public Act may be codified, re-codified or amended from time to time.

400-2 Purpose.

The purposes of the Civilian Police Review & Relations Board established by this article shall be as follows:

- A. To promote public confidence in the professionalism and accountability of the Manchester Police Department through the unbiased review of the investigation of complaints filed against any Manchester police officer.
- B. To provide a timely, fair, and objective review of complaints and the manner in which they are investigated.
- C. To promote positive interactions and establish and maintain trust between the community and the police.
- D. To serve as a forum to discuss, study and offer advice regarding use of force policies.
- E. To serve as a forum to discuss the nature of interactions between residents and public safety.
- F. To serve as a forum to discuss alternative responses to people experiencing mental health concerns and/or substance misuse for department consideration.
- G. To accept, in addition to the department's process, complaints from residents regarding the conduct of officers of the Manchester Police Department and/or ancillary agencies acting in conjunction with or on behalf of the municipal agency.
- H. To request and receive informal reviews of any incident that is of concern to the body or its Chair, and, formal investigations to complaints, by vote of the body if necessary.
- I. To review the recruitment process for officers, and training as it relates to equitable and unbiased treatment of all members of the public, and provide advice on same to the General Manager, Human Resources and Police Department.

§400-3 Membership; compensation; qualifications; terms; alternates.

- A. The Civilian Police Review & Relations Board shall consist of seven members, who shall be residents of the Town appointed by the Board of Directors. The members of the Civilian Police Review & Relations Board shall serve without compensation. No member of the Civilian Police Review & Relations Board shall be a sworn officer of any police department or law enforcement entity. No member shall be a former sworn officer, unless said officer has not been employed in such capacity for at least three consecutive years.
- B. At the time of first appointment of the members of the Civilian Police Review & Relations Board, two members shall be appointed to serve until December 31, 2022, two members shall be appointed to serve until December 31, 2023, and three members shall be appointed to serve until December 31, 2024. Upon the expiration of these initial terms, each subsequent appointment shall be for a term of three years, commencing on the first day of January. The membership should appropriately represent the diversity of the community as a whole.
- C. No person shall be appointed to the Civilian Police Review & Relations Board unless such person has consented to and executed all necessary releases for the performance of a criminal background check. Such background check shall be performed by the Police Department or other agency, and no person shall be appointed to the Civilian Police Review & Relations Board until the Police Chief or his designee has reported the results of such criminal background check to the Mayor and the party leader of the other party of the Board of

Directors. This background work adds to other considerations by the Board of Directors in determining appointments and is not meant to be exclusionary.

- D. There are hereby authorized three alternate members of the Civilian Police Review & Relations Board, who shall be residents of the Town and shall be appointed by the Board of Directors. At the time of original appointment, one alternate shall be appointed to serve until December 31, 2022, one alternate until December 31, 2023, and one alternate until December 31, 2024, and each successor shall be appointed for a term of three years, commencing on the first day of January. Upon the expiration of these initial terms, each subsequent appointment shall be for a term of three years, commencing on the first day of January. Any alternate member of the Civilian Police Review & Relations Board shall, when designated to act for any member of the Civilian Police Review & Relations Board, have all of the powers and duties of a member of the Civilian Police Review & Relations Board.
- E. The Board of Directors shall not appoint members who have close relatives (parent, child, sibling, and/or spouse) working for Manchester Police Department.

§400-4 Staff liaisons; officers.

- A. The Police Chief shall designate one or more representatives from the Manchester Police Department to serve as a departmental liaison to the Civilian Police Review & Relations Board. Such departmental liaison or liaisons shall have the privilege of the floor pursuant to an agenda item at any meeting for the purpose of providing information and perspective on police techniques, procedures and methods, except that such liaison may be excluded from deliberations of board motions by a vote of the board.
- B. The General Manager shall designate one or more representatives from his or her office or other appropriate department to serve as a staff liaison with the Civilian Police Review & Relations Board for the purposes of coordination and administrative support. The General Manager may designate a departmental liaison appointed by the Police Chief pursuant to this section to serve in such role. The Civilian Police Review & Relations Board, through its Chairperson or, in the absence of its Chairperson, through its Vice Chairperson, may request from the staff liaison or liaisons such information as it may require and such clerical or other assistance as may be reasonably available and necessary to carry out its duties and responsibilities under the provisions of this article.
- C. The Civilian Police Review & Relations Board shall, at its first meeting following the effective date of its appointment and annually thereafter, elect a Chairperson and Vice Chairperson from among its members and such other officers as the Civilian Police Review & Relations Board may determine.

§400-5 Duties; scope of authority; standard of review.

- A. The Police Chief shall promptly refer to the Civilian Police Review & Relations Board a redacted synopsis of the completed internal investigation of any complaint received by the Police Department. The Board may request the full report for review should it determine further review is appropriate. Any matter so referred may be placed on the agenda for the next regularly scheduled meeting of the Civilian Police Review & Relations Board. Reviews of internal investigations shall be in Executive Session; all actions will be in public session.

- B. In evaluating such completed investigation, the Civilian Police Review & Relations Board may review a copy of the complaint and any public records or files relevant to such completed investigation. For the purpose of this section, “public records or files” shall have the same meaning as set forth in chapter 14 of the General Statutes, as amended from time to time.
- C. Following such review, the Civilian Police Review & Relations Board shall recommend by majority vote to either accept or object such completed internal affairs investigation. In the event the Civilian Police Review & Relations Board recommends object, the Civilian Police Review & Relations Board shall make findings as to the thoroughness, completeness, accuracy, and objectivity of the investigation.
- D. The Civilian Police Review & Relations Board shall conduct its work independently of Charter and contract requirements, but in a manner so as to not violate any provisions of either, and recommend to accept or object within sixty days after a referred complaint first appears on an agenda. The failure of the Civilian Police Review & Relations Board to act thereon shall be considered as a recommendation to accept.
- E. Any recommendation made by the Civilian Police Review & Relations Board under this section shall be advisory only. Any final decision of discipline shall be made by the Chief of Police, consistent with the Town Charter and Collective Bargaining Agreement.

The Civilian Police Review & Relations Board may request formal investigations of an incident pursuant to complaints received. In the event that a Civilian Police Review & Relations Board request for an investigation be denied by the Department, a written explanation of the denial must be provided to the Civilian Police Review & Relations Board.

§400-6 Quorum.

A quorum shall consist of five members.

§400-7 Qualifications and conduct.

- A. The General Manager, in coordination with the Police Chief, shall develop reasonable requirements for orientation, training, and continuing education for members and alternates appointed to the Civilian Police Review & Relations Board. No member or alternate shall enter upon the duties of office unless the General Manager or his or her designee has certified that such member or alternate has completed such orientation and training. Any member or alternate who fails to complete any continuing education within a reasonable period of time prescribed by the General Manager shall be ineligible to participate in the consideration of complaints, and the General Manager may refer such member or alternate to the Board of Directors for removal from office.
- B. Except as may be required by law, no member or alternate to the Civilian Police Review & Relations Board shall publicly discuss any complaint pending or any matter reasonably likely to come before the Civilian Police Review & Relations Board outside of a meeting of the Civilian Police Review & Relations Board.

§400-8 Stay of proceedings; effect of settlement agreements.

- A. Upon receipt of a written request from the Town Attorney, the Civilian Police Review & Relations Board shall stay and take no further action in connection with any proceeding that is the subject of pending litigation in which the Town is a party or may be required to protect and save harmless a party pursuant to section 7-101a of the General Statutes, as amended from time to time, until (1) such litigation or claim has been finally adjudicated or otherwise settled, or (2) the Town Attorney provides written notification to the Civilian Police Review & Relations Board that a stay of proceedings is no longer required, whichever is sooner. The deadline for the Civilian Police Review & Relations Board to take action shall be tolled during such stay.
- B. Nothing in this article shall prevent the Town from entering into a settlement agreement that restricts the ability of the Town or any other party to comment on or discuss a matter. Upon receipt of a written request from the Town Attorney, the Civilian Police Review & Relations Board shall stay and take no further action in connection with any proceeding in which such consideration or discussion would violate the terms of a settlement agreement to which the Town is a party.
- C. Upon receipt of a written request from the Police Chief, the Civilian Police Review & Relations Board shall stay and take no further action in connection with any proceeding that the Police Chief reasonably believes may prejudice a pending prosecution or a prospective law enforcement action until (1) such prosecution or law enforcement action is complete, or (2) the Police Chief provides written notification to the Civilian Police Review & Relations Board that the stay of proceedings is no longer required, whichever is sooner.
- D. Should written notification be necessary under A, B or C above, the General Manager and the Board of Directors will be copied on such correspondence.

§400-9 Annual report.

The Civilian Police Review & Relations Board shall provide an annual written report to the Board of Directors. Such report shall include a brief summary of the disposition of all complaints reviewed by the Civilian Police Review & Relations Board as well as the status of any policy recommendations presented to the Department. The Civilian Police Review & Relations Board may bring recommendations for action by the Board of Directors as necessary.

APPROVED - Ordinance establishing a Civilian Police Review & Relations Board with changes as noted above.

Jones/Schain

**5 Voted in Favor
2 Voted Against**

4. Discussion: Future Meeting Formats

Director Conyers asked what the plans are to open up Town buildings to the public.

General Manger Shanley explained that in regard to Boards and Commissions, the State Legislature recently passed a law that gives municipalities the ability to make decisions themselves whether to go all live, all virtual or hybrid. Town operations never closed and we have always had ways that

residents could meet with Town departments if they needed to. The major Town buildings have a staff member at the door. The Senior Center is just beginning to open up.

Director Dougan agrees with Director Floyd-Cranford's idea at the last meeting to continue to offer the opportunity for residents to participate virtually in all Board of Directors meetings even if the meetings go to full in-person. She suggested that residents could make reservations for a seat to attend Board meetings in person, so we can limit the number of people in the Hearing Room at one time.

Director Marois would like to see residents welcomed back to the Hearing Room for Board meetings. Not allowing the public to make public comments in person is a form of censorship for those who don't have access to zoom.

Director Conyers would also like to see residents given the opportunity to attend meetings in person but also keep a hybrid model for those who are not comfortable attending in person.

Director Floyd-Cranford would like Board meetings to be in a hybrid manner, to give more people access to the meetings, virtual or live. She also suggested having Plexiglas dividers since there are still a lot of people who have chosen not to be vaccinated.

General Manager Shanley stated Plexiglas dividers were considered for Board members but it is problematic for the audio and video for meetings. There is also a problem with extending the Plexiglas far enough back to protect Board members who were sitting back a little.

Mayor Moran noted there are still restrictions in place and the school system is still requiring masks. We are moving closer to fully opening Town buildings and meetings, but we are not there yet. He agrees with using a hybrid model for Board of Directors meetings at least for the summer.

Vice Chair Jones stated having residents register to attend in person could help with contact tracing, if needed.

5. ADJOURNMENT.

The meeting was adjourned until the July 6, 2021 Regular Meeting of the Board of Directors at 7:00 p.m. in the Lincoln Center Hearing Room.

Adjournment: 10:30 p.m.

Floyd-Cranford/Marois

7 Voted in Favor

lgl

APPROVED:

ATTEST:

Secretary, Manchester Board of Directors