



State of Connecticut

OFFICE OF INSPECTOR GENERAL

ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

P.O. BOX 460
CHESHIRE, CONNECTICUT 06410
ROBERT.DEVLIN@CT.GOV
Telephone: (203) 806-1595

PRESS RELEASE

Today, the Office of Inspector General (OIG) released its Annual Report for 2022. This report details the work of the OIG during its first full year of operation. While not statutorily required, the report is intended to advance the goals of transparency and accountability that are central to the OIG's mission. To view the OIG Annual Report for 2022, click [here](#).

Inspector General Robert J. Devlin, Jr. stated, "I am pleased to issue this report that describes the work of our unit and the outreach efforts we have made to the community and law enforcement. Our cases are not easy, but in collaboration with the Connecticut State Police major crime squads, we are committed to resolving them fairly and professionally."

In addition to determining whether the use-of-force by officers was justified, the OIG in its reports issued recommendations on how various policing practices could promote effective crime reduction while building public trust.

Those recommendations have been reviewed by the Division of Criminal Justice's new Director of Ethics and Professional Standards, a position created by Chief State's Attorney Patrick J. Griffin that not only promotes ethical and professional standards within the Division, but also partners with other law enforcement agencies in Connecticut in the development of best practices and training initiatives for the Police Officer Standards and Training Council.

"On my own behalf and that of Connecticut's State's Attorneys, I would like to express my gratitude to Inspector General Devlin and the employees in his office for their hard work over the past year on often complex and difficult cases," Chief State's Attorney Griffin said. "In the wake of the tragic death of Tyre Nichols at the hands of five Memphis police officers, the work of the OIG is more important than ever. We are committed to continuing to prioritize the Division's efforts to vigorously, and when necessary, prosecute cases involving unlawful use of force by police officers. This incident should also serve to laser focus our undertaking to develop meaningful professional development programs for our employees as well as others in law enforcement in an effort to instill public confidence in what we strive to do every day."

To assist the OIG with its continued efforts to be transparent and immediately responsive to the public in its investigations of interactions with police and citizens, the Division of Criminal Justice has allotted funds toward the hiring of an additional OIG Inspector to maximize the office's efforts in expediting the gathering of key evidence in these cases.

2022



**OFFICE OF INSPECTOR GENERAL
ANNUAL REPORT**

TABLE OF CONTENTS

INTRODUCTION	4
HISTORY	4
PERSONNEL	6
POLICE USE OF DEADLY FORCE	7
COMPLETED INVESTIGATIONS	7
MACHADO	7
VILLA	7
SOULEMANE.....	8
OGMAN.....	8
WAITERS	9
STROTHERS	10
MCCULLOUGH	10
OWENS	11
HAGANS	11
PENDING INVESTIGATIONS	12
O’LONE	12
DUNGAN	12
OTERO	12
MARZI	12
CLAUDIO	12
BRUTCHER	12
GAMBARDELLA	13
IN-CUSTODY DEATHS	13
INTRODUCTORY NOTE.....	13
POLICE CUSTODY	13
CHAMBERS	13

TORRICE	14
DOHERTY	14
DEPARTMENT OF CORRECTION CUSTODY	14
NATURAL CAUSES – NO CRIMINAL INVOLVEMENT	14
SUSPECTED DRUG OVERDOSE	14
SUICIDES	15
OTHER ACTIVITIES.....	15
IN RE HON. ALICE BRUNO	15
COMMUNITY OUTREACH.....	16
COMMUNITY GROUPS	16
POLICE DEPARTMENTS	18
COUNCILS OF GOVERNMENT	19
SCHOOLS	21
OTHER	23
RECOMMENDATIONS	23
BWC/MVR	23
MOTOR VEHICLES	23
SUICIDE BY COP.....	24
SUBSTITUTE CLOTHING FOR PERSONS IN POLICE CUSTODY.....	24
LEGISLATIVE PROPOSALS	24
MODIFICATION OF 96 HOUR RULE	24
CONCLUSION	25
APPENDIX A	26
APPENDIX B.....	28

INTRODUCTION

This is the first report on the work of the Office of Inspector General (OIG). It covers the period from October 8, 2021 to December 31, 2022. The creation of the OIG was part of the Police Accountability Act enacted by the General Assembly in 2020 and amended in 2021. In September 2021, the Criminal Justice Commission appointed retired State of Connecticut Judge Robert J. Devlin, Jr. to serve as Connecticut's first Inspector General. The OIG's statutory jurisdiction includes cases of officer-involved shootings (OIS) and in-custody deaths. As detailed herein, the OIG has issued reports in nine OIS cases. Six OIS cases are under investigation. In addition, the OIG has investigated the deaths of persons in police custody and the custody of the Department of Correction (DOC).

In an effort to advance the goal of transparency and provide the public with timely and accurate information about its cases, the OIG issued three preliminary reports and eight press releases.

In its publicly available reports, the OIG has made recommendations aimed at improving outcomes for these difficult and challenging cases. Moreover, the OIG has engaged in outreach efforts with community groups, government groups, schools, and police.

HISTORY

Public Act 21-8 created the Office of the Inspector General (OIG). The public act directed that the OIG be a separate office within the Division of Criminal Justice and further directed that the Criminal Justice Commission appoint the first Inspector General not later than October 1, 2021. Public Act 21-8 became effective on May 6, 2021.

Public Act 21-8, Section 6¹

Section 6 of PA 21-8 sets forth the jurisdiction, powers, and organization of the OIG. The statute provides that the OIG shall conduct investigations of peace officers in accordance with General Statutes §51-277a (as amended by PA 21-8). In addition, the OIG shall prosecute any case where the Inspector General determines that a peace officer used force not justifiable under General Statutes §53a-22 or where a peace officer or corrections officer failed to intervene in or report an incident of excessive force. The statute also authorizes the OIG to make recommendations to the Police Officer Standards and Training Council (POSTC) concerning the censure and suspension, renewal, cancellation, or revocation of a peace officer's certification.

¹ Public Act 21-8, Section 6 is now codified as General Statutes §51-277e. The full text of the statute is set forth in Appendix A.

The statute sets the term of the Inspector General as four years from July 1 of the year of appointment and further provides that the Inspector General may only be removed or disciplined in accordance with General Statutes §51-278b.

In a first for Connecticut, Section 6(d) gives investigative subpoena power to the Inspector General. The Inspector General may issue subpoenas to municipalities, law enforcement units, the Department of Correction (DOC), and any employee of the municipality, unit, or DOC requiring (1) the production of reports, records, or documents concerning an Inspector General investigation, (2) compelling the attendance and testimony of any person having knowledge pertinent to such Inspector General investigation. To date, because of the cooperation from municipal and state agencies, the OIG has not needed to exercise this subpoena authority.

Public Act 21-8, Section 7²

Section 7 amends General Statutes §51-277a that governs the principal jurisdiction of the OIG – police use of deadly force and in-custody deaths. In summary, the amended statute provides:

Whenever a peace officer, in the performance of such officer’s duties, uses physical force upon another person and such person dies or uses deadly physical force upon another person, the Inspector General shall have the responsibility of determining whether the use of force was justifiable under §53a-22.

Whenever a person dies in the custody of a peace officer or law enforcement agency the Inspector General shall investigate and determine whether physical force was used upon the deceased person and, if so, whether the use of physical force was justifiable under §53a-22. If the Inspector General determines that the deceased person may have died because of criminal action, the Inspector General shall refer the case to the Chief State’s Attorney or State’s Attorney for potential prosecution.

Whenever a person dies in the custody of the Commissioner of the DOC, the Inspector General shall investigate and determine whether the deceased may have died because of criminal action and, if so, refer the case to the Chief State’s Attorney or State’s Attorney for potential prosecution.

² Public Act 21-8, Section 7 is now codified as General Statutes §51-277a. The full text of this statute is set forth in Appendix B.

Summary

To summarize, based on Public Act 21-8, the Inspector General's jurisdiction falls into five categories:

1. A peace officer's use of force resulting in death.
2. A peace officer's use of deadly force, regardless of the resulting outcome.
3. Deaths of persons in police custody.
4. Deaths of persons in DOC custody.
5. Instances where peace officers or correction officers fail to intervene or report instances of excessive use of force.

Expansion of IG Jurisdiction

Public Act 22-114 expanded the jurisdiction of the OIG. The public act authorizes POSTC to request an OIG investigation into whether a chief of police failed to report:

- (1) The use of unreasonable, excessive, or illegal force, or
- (2) A failure to intervene or stop the use of unreasonable excessive or illegal force, or
- (3) An incident of intimidation or harassment of another based on a protected class membership, or
- (4) An officer who was terminated, dismissed, resigns or retired under circumstances described in §7-291c.

Public Act 22-61 further expanded the OIG jurisdiction to investigate, upon request, the failure of a police agency to make a timely notification of death to the deceased person's next of kin. If the investigation determines that there was malfeasance in the failure to notify the next of kin, the IG may make recommendations to POSTC regarding the involved peace officer's certification.

OFFICE OF INSPECTOR GENERAL - PERSONNEL

The OIG presently has ten positions:

Inspector General – Robert J. Devlin, Jr.

Devlin was sworn in as Inspector General on October 8, 2021. His four-year term will end on June 30, 2025.

Supervisory Assistant State's Attorney Andrew J. Slitt

Chief Inspector James M. Viadero
Supervisory Inspector David Sydnor

Inspectors

Steven K. Hunt	William Brevard
Mark C. Sinise	Jorge L. Cintron
Frank Capozzi	

Paralegal Specialist Dena M. Bahgat

POLICE USE OF DEADLY FORCE

Peace Officer Use of Deadly Force - Completed Investigations

During the period covered by this report, the Inspector General (IG) issued nine reports regarding police officer use of deadly force. The complete reports are available at the Inspector General tab of the Division of Criminal Justice website, <https://portal.ct.gov/DCJ>. The following is a brief synopsis of each report.

Roznovsky Machado

On December 27, 2021, the OIG issued its report regarding the use of deadly force by the Naugatuck Police Department on September 14, 2020.

On September 14, 2020, at approximately 8:00 p.m. on the Route 8 Exit 27 northbound onramp, Naugatuck Police Sergeant Nicholas Kehoss discharged his firearm three times at a Dodge Charger operated by Roznovsky Machado. All three bullets hit the vehicle, but none hit Machado who was the only occupant.

The investigation established that, at the time that he discharged his firearm, Machado's Dodge Charger had rammed Sergeant Kehoss's police vehicle pushing it into Sergeant Kehoss and was driving directly at him. Accordingly, the IG concluded that, under the circumstances presented, Sergeant Kehoss justifiably used deadly force.

To review the complete report, click [here](#).

Juan Villa

On January 27, 2022, the OIG issued its report regarding the use of deadly force by the Bridgeport Police Department on September 16, 2020.

On September 16, 2020, during the early morning hours, at 351 Clinton Avenue, 3rd Floor, Bridgeport, Connecticut Officer Eliud Henry, fired one shot from his department-issued handgun striking Juan Esteban Villa Ramirez aka Juan Villa in the side. The bullet caused serious but nonfatal injury to Villa.

The investigation established that, at the time he was shot, Villa was stabbing another person, Darrick Stanley, with a large knife. When verbal commands and a Taser deployment had no effect, Officer Henry shot Villa to stop the attack on Stanley. Officer Henry used deadly force to defend Stanley from imminent serious physical injury or death. Accordingly, the IG found such use of force to be objectively reasonable and justified.

To review the complete report, click [here](#).

Mubarak Soulemane

On April 20, 2022, the OIG issued its report regarding the use of deadly force by the Connecticut State Police on January 15, 2020.

On January 15, 2020, at approximately 5:05 p.m. on Campbell Avenue, West Haven, Connecticut, after an extended pursuit on I-95, Connecticut State Troopers Brian North, Joshua Jackson, and Ross Dalling successfully stopped a stolen 2012 Hyundai Sonata being operated by Mubarak Soulemane. The troopers' police vehicles effectively blocked-in the Hyundai. Shortly after the stop, Trooper North fired seven shots through the driver's side window of the Hyundai. The bullets struck and killed Soulemane who was seated in the driver's seat holding a knife.

The investigation established that, at the time Trooper North fired his weapon, neither he nor any other person was in imminent danger of serious injury or death from a knife attack at the hands of Soulemane. Further, any belief that persons were in such danger was not reasonable. The IG therefore found that North's use of deadly force was not justified under Connecticut law.

North was arrested by warrant and charged with Manslaughter in the First Degree with a Firearm in violation of Connecticut General Statutes §53a-55. The case is pending in the Milford Superior Court. The charges are merely accusations and North is presumed innocent unless and until proven guilty in a court of law.

To review the complete report, click [here](#).

Shamar Ogman

On June 14, 2022, the OIG issued its report regarding the use of deadly force by the Hartford Police Department on December 26, 2020.

On December 26, 2020, a few minutes after 9:00 p.m., at or near 14-16 Gilman Street, Hartford, Connecticut, Officer Ashley Martinez fired one shot from her department-issued patrol rifle striking and fatally wounding Shamar Ogman.

The investigation established that, on December 26, 2020, at approximately 8:53 p.m., Hartford Police Officers responded to a report of a male in the street carrying a gun. The 911 caller identified the person as Shamar Ogman. Officers confronted Ogman who displayed what appeared to be a handgun and a rifle. Ogman ignored numerous commands to drop the weapons and ran from the police. He ultimately took a position behind a dumpster in the parking lot adjacent to 14-16 Gilman Street. Using parked cars as cover, officers approached Ogman and continued to direct him to drop his guns. When he raised his rifle and pointed it in the direction of the police, Officer Martinez fired one shot.

Officer Martinez used deadly force to defend other officers from what she reasonably believed to be the imminent use of deadly force against them. Accordingly, the IG found such use of force to be objectively reasonable and justified.

To review the complete report, click [here](#).

Dennis Waiters

On August 26, 2022, the OIG issued its report regarding the use of deadly force by the Bridgeport Police Department on June 15, 2021.

On June 15, 2021, at approximately 10:11 p.m., near the intersection of Catherine Street and Main Street in Bridgeport, Connecticut, Officer Carlos Vazquez fired one shot from his department-issued handgun striking and wounding Dennis Lee Waiters, Jr.

The investigation established that on June 15, 2021, at approximately 10:11 p.m., State and Federal Task Force Officers (TFOs) stopped a 2006 Chrysler 300 automobile on reasonable suspicion that there was a gun in the vehicle. Officers maneuvered their police vehicles to surround the Chrysler while it was stopped at a red light. Dennis Waiters was driving the Chrysler and Lamain Heard was in the front passenger seat. As Officer Carlos Vazquez approached the Chrysler, it abruptly accelerated in reverse, striking four vehicles. It then rapidly drove forward turning sharply and came directly at Officer Vazquez. Vazquez fired one shot to prevent the vehicle from running him over. The Chrysler changed direction and, after striking another police vehicle, crashed into a utility pole. The bullet struck Dennis Waiters in the upper area of his left leg. He was treated at Bridgeport Hospital. After the crash, Lamain Heard fled on foot and ran north. Officers chased him to the parking lot of a restaurant, Sazon Y Mambo, where he was taken into custody. On the floor of the Chrysler, in front of the passenger seat, police located a handgun.

Officer Vazquez used deadly force to defend himself from what he reasonably believed to be a threat of serious physical injury or death posed by an oncoming vehicle. Accordingly, the IG found such use of force to be objectively reasonable and justified.

To review the complete report, click [here](#).

Kenneth Strothers

On September 9, 2022, the OIG issued its report regarding the use of deadly force by the Meriden Police Department on February 12, 2021.

On February 12, 2021, shortly after 10:00 a.m., at or near 1672 North Broad Street, Meriden, Connecticut, Officer Erik Simonson fired one round from his department-issued Glock .45 caliber handgun striking Kenneth Strothers in the lower abdomen. Strothers was transported by ambulance to Harford Hospital where he was successfully treated. He was discharged from the hospital on February 18, 2021.

The investigation established that at the time that he fired his weapon, Officer Simonson reasonably believed that Strothers possessed a handgun and had racked a round into the chamber in anticipation of shooting Simonson or another officer. Accordingly, the IG found that Simonson's use of deadly force was objectively reasonable and justified.

To review the complete report, click [here](#).

Corneilius McCullough

On October 26, 2022, the OIG issued its report regarding the use of deadly force by the Derby Police Department on April 26, 2021.

On April 26, 2021, at approximately 7:00 a.m., Derby Police Officer Daniel Foley was seated alone in his police cruiser on Division Street along the Ansonia/Derby town line. After two individuals approached his car, he discharged his department-issued firearm four times, striking Corneilius McCullough, a 29-year-old African American, in the leg.

The investigation established that, at the time that Officer Foley discharged his firearm, McCullough was unlawfully firing a handgun at an occupied vehicle or threatened imminent use of deadly force against Foley. Accordingly, the IG concluded that under the circumstances presented, Officer Foley justifiably used deadly force.

To review the complete report, click [here](#).

Marvin Owens

On November 17, 2022, the OIG issued its report regarding the use of deadly force by the United States Marshals Service on January 13, 2022.

On January 13, 2022, at approximately 11:43 a.m., at or near 35 Wheeler Street, New Haven, Connecticut, Deputy United States Marshal (DUSM) James Masterson discharged his firearm five times at a box truck being driven by Marvin Owens.

The investigation established that, in connection with an attempt to serve three arrest warrants on Owens, DUSM Masterson fired his weapon at the front tire of the box truck and not at Owens. The DUSM's intent was to prevent imminent serious physical injury to other task force officers by disabling the truck. The DUSM fired his weapon to eliminate the threat to federal and municipal officers endangered by Owens' efforts to flee the scene to avoid arrest. Accordingly, the IG found such use of deadly force to be justified under Connecticut law.

To review the complete report, click [here](#).

Christopher Hagans

On January 3, 2023, the OIG issued its report regarding the use of deadly force by the Stratford Police Department on February 5, 2021.

On February 5, 2021, at approximately 7:30 p.m., at the intersection of Main Street and Main Street Putney, Stratford, Connecticut, Stratford Police Department officers blocked in a Dodge Charger driven by Christopher W. Hagans. The Charger had stopped behind a civilian vehicle at a red traffic signal. Stratford officers approached the Charger intending to take Hagans into custody on a felony arrest warrant. Hagans, who was in possession of a loaded handgun, refused to comply with officers' repeated demands that he show his hands. When officers realized that Hagans had a gun, they fired shots into the Charger as it attempted to escape by driving down a snow-covered embankment. The car became stuck attempting to drive over a guardrail and became disabled in the snow.

Hagans fled the vehicle on foot. He headed toward a civilian vehicle while pointing the gun at Stratford officers. Stratford officers fired additional shots at Hagans, fatally wounding him. At some point during the encounter, Hagans fired his gun one time.

The investigation established that, at the time that the Stratford officers fired their weapons, Hagans was resisting their efforts to arrest him on a felony warrant, displaying a loaded gun, and (at some point) discharging that weapon. Hagans' conduct presented an imminent and grave threat of serious physical injury or death to the officers and the civilian

driver of the nearby vehicle. Accordingly, the IG concluded that, under the circumstances presented, the Stratford officers justifiably used deadly force.

To review the complete report, click [here](#).

Peace Officer Use of Deadly Force - Pending Investigations

The OIG is currently investigating the following cases:

Andrew O'Lone

This case concerns the use of deadly force by the Norwich Police Department on October 26, 2021.

Brian Dungan

This case concerns the use of deadly force by the Torrington Police Department on March 23, 2022.

Raul Otero

This case concerns the use of deadly force by the Willimantic Police Department on May 30, 2022.

Ryan Marzi

This case concerns the use of force by the Connecticut State Police on August 24, 2022, that resulted in Ryan Marzi's death.

Jose Claudio

This case concerns the use of deadly force by the New Haven Police Department on October 7, 2022.

Nicholas Brutcher

This case concerns the use of deadly force by the Bristol Police Department on October 12, 2022, that resulted in the death of Nicholas Brutcher.

Nicholas Gambardella

This case concerns the use of deadly force by the East Haven Police Department on January 5, 2023 on I-95 in Milford.

IN-CUSTODY DEATHS

Introductory Note

Pursuant to §51-277a(a)(2)(A), the OIG is responsible for investigating the deaths of persons who die while in the custody of a law enforcement agency. Where a peace officer used physical force upon the deceased person, the OIG must determine if such use of force was justified. In circumstances where there is no force used, the question becomes whether the death was the result of criminal action.

The OIG also has responsibility to investigate the deaths of persons who die in DOC custody to determine if the person died as a result of criminal action. See General Statutes §51-277a(a)(2)(B). DOC deaths pose issues with respect to the question of custody. Incarcerated persons are in both the legal and physical custody of the DOC. Persons who are on parole, however, are in the DOC's legal custody but not DOC's physical custody. A third category applies to persons in halfway houses. These persons are in the legal custody of the DOC but are not incarcerated. Their liberty is nevertheless restricted since they are not free to leave the halfway house without permission.

The DOC notifies the OIG of the deaths of persons in all three categories. While the OIG records the deaths of persons on parole, it only investigates the deaths of incarcerated persons or persons in a halfway house.

Police Custody

During the period covered by this report, no police agency reported a death of a person in police custody due to a police officer's use of force. The OIG is currently investigating whether the deaths in the following cases were the result of criminal action.

Brenton Chambers

Brenton Chambers died while in the custody of the Norwich Police Department on February 4, 2022.

Joseph Torrice

Joseph Torrice died while in the custody of the Manchester Police Department on July 10, 2022.

Kevin Doherty

Kevin Doherty died while in the custody of the South Windsor Police Department on December 26, 2022.

DOC Custody

There were seventy-three deaths reported to the OIG by the DOC. Thirty of those reported deaths were of persons on parole and were not investigated by the OIG. The remaining deaths pertained to incarcerated persons or persons in a halfway house. To date, the OIG investigations into those deaths may be categorized as follows:

Natural Causes: When the DOC notifies the OIG of an in-custody death, the OIG contacts the Office of the Chief Medical Examiner (OCME) to obtain a copy of the autopsy report for the deceased. Such report includes the medical examiner's determination of the manner of death. The OCME categorizes the manner of death as: (1) accident (2) suicide, (3) homicide, (4) natural, (5) undetermined, or (6) therapeutic complications. In cases where an autopsy was not performed. The OIG examines the death certificate to determine the manner of death.

Of the reported deaths, twenty-eight were from natural causes as reflected in the autopsy report or the person's death certificate. There was no criminal action associated with any of these deaths and the OIG has closed its files on these cases.

Suspected Drug Overdose: Nine persons in DOC custody died of suspected drug overdose. The Office of the Chief Medical Examiner ruled all of these deaths to be accidental. The OIG is endeavoring to identify the person(s) who illegally provided the drugs to the inmate. The nine are:

James Allen Hayes – Found unresponsive on February 5, 2022, at the Drapelick Center halfway house in Bloomfield.

Paul Castro – Found unresponsive on February 24, 2022, at the New Haven Correctional Center.

Javier Rivera – Found unresponsive on February 24, 2022, at the New Haven Correctional Center.

Ramon Ortiz – Found unresponsive on April 20, 2022, at the MacDougal Walker Correctional Institution.

Allen Johnson – Found unresponsive on May 8, 2022, at the New Haven Correctional Center.

Anthony Coward – Found unresponsive on June 13, 2022, at the Garner Correctional Institution.

Robert Bracey – Found unresponsive on June 25, 2022, at the Bridgeport Correctional Center.

Joshua Choiniere – Found unresponsive on July 4, 2022, at the Corrigan Correctional Institution.

Ramon Diaz – Found unresponsive on December 1, 2022, at the Hartford Correctional Center.

Suicides: Five persons died of suspected suicides. The manner of death in all five instances was hanging:

James Harris – Died on November 10, 2021, held at the Cheshire Correctional Institution.

Angel Garcia – Died on February 14, 2022, at the Bishop Halfway House in Waterbury.

Mark Lauria – Died on March 15, 2022, held at MacDougal Walker Correctional Institution

Angel Ortiz – Died on July 24, 2022, held at the MacDougal Walker Correctional Institution.

Matthew Sinclair – Died on December 13, 2022, held at the Corrigan Correctional Institution.

Other: Pablo Rivera –found unresponsive in his cell at the New Haven Correctional Center on December 29, 2022. He died on December 30, 2022. The cause of death is undetermined at this time.

OTHER ACTIVITIES

In Re Hon. Alice Bruno

By order dated April 12, 2022, the Connecticut Supreme Court appointed Inspector General Devlin as its investigator to perform an expedited and confidential investigation into Superior Court Judge Alice Bruno’s fitness for judicial office. On May 18, 2022, the parties proposed a resolution to the Supreme Court wherein Devlin agreed to end the investigation in exchange for Judge Bruno’s immediate and voluntary suspension from judicial office without pay while she pursued a disability retirement with the Judicial Review Council. On May 20, 2022, the Supreme Court approved the proposed resolution.

Community Outreach

During 2022, the OIG reached out to many persons and organizations interested in the OIG's work. In all of these contacts, OIG personnel were welcomed with courtesy and genuine interest. A summary of these efforts is described below.

Community Groups

May 4, 2022: Meeting in Hartford with Scott Esdaile, head of the NAACP in Connecticut, and Corey Betts, NAACP official.

May 11, 2022: Meeting with Pastors from Waterbury and Hartford at the Long Hill Bible Church in Waterbury.

June 6, 2022: Spoke at a meeting of community leaders at the Stamford Police Department.

June 8, 2022: Meeting with Ginny-Rae Clay leader of the Greater Waterbury NAACP

June 12, 2022: Spoke at Sunday services at Grace Baptist Church in Waterbury.



June 16, 2022: Spoke at meeting of the Latino Coalition in Waterbury.

June 25, 2022: Spoke a Police Forum at UCONN Stamford campus.



July 26, 2022: Met with NAACP members at the Norwich Police Department

September 17, 2022: Spoke at NAACP meeting in Torrington at the Workman AME Zion Church.



Police Departments

At various dates during 2022, OIG inspectors met with over eighty police agencies in Connecticut. The purpose of these meetings was to introduce our unit to police officials and discuss the OIG's statutory role in investigating officer-involved shootings and in-custody deaths:

3/11/22: Waterbury PD	6/7/22: Plainfield PD, UConn PD
3/14/22: Bridgeport PD	6/9/22: Brookfield PD, New Milford PD, Ridgefield PD
5/2/22: New London PD	6/13/22: South Windsor PD
5/3/22: Wallingford PD	6/14/22: ECSU PD, Rocky Hill PD
5/4/22: Cromwell PD, Fairfield County Detectives	6/15/22: Enfield PD, Windsor PD
5/9/22: Norwalk PD	6/17/22: Windsor Locks PD
5/10/22: North Branford PD, Milford PD	6/20/22: Southington PD, Wilton PD
5/21/22: Wethersfield PD	6/21/22: East Windsor PD
5/13/22: Trumbull PD	6/22/22: Ledyard PD, Mohegan Sun PD
5/16/22: Seymour PD, SCSU PD, Woodbridge PD	6/27/22: Naugatuck PD, Univ. of New Haven PD
5/17/22: East Haven PD, Guilford PD	6/28/22: New Canaan PD
5/19/22: Shelton PD, Westport PD	6/29/22: Farmington PD, Plainville PD
5/20/22: Glastonbury PD	6/30/22: Weston PD, Easton PD, Redding PD, Bethel PD, Newtown PD
5/23/22: Berlin PD, U.S. Secret Service, Simsbury PD	7/6/22: Branford PD, Clinton PD
5/24/22: Ansonia PD, Derby PD, Wolcott PD	7/7/22: East Windsor PD
5/25/22: Orange PD	7/13/22: Old Saybrook PD
5/26/22: Darien PD, Greenwich PD	7/14/22: Foxwoods PD, Stonington PD, Waterford PD
5/31/22: Monroe PD	7/19/22: Putnam PD, Plainfield PD
6/1/22: Granby PD, Suffield PD	7/20/22: West Haven PD, Yale PD
6/2/22: CCSU PD, Watertown PD	7/26/22: New Haven PD
6/3/22: Groton PD	8/8/22: Cheshire PD
6/6/22: East Hampton PD, Manchester PD, Vernon PD	9/29/22: Torrington PD, Thomaston PD, Winsted PD, Canton PD

In addition, OIG Inspectors provided training to the command staffs of various law enforcement agencies throughout 2022:

Waterbury Police Department (multiple classes)
Bridgeport Police Department (multiple classes)
In-Service Training Bridgeport Police Academy (multiple classes)

Milford Police Academy Recruit Unit
West Hartford Police Training Division In-Service Training (On-going)
Fairfield County Training Officers Association In-Service Training (On-going)
Council 4 Police Unions
Connecticut Police Chiefs Association (multiple trainings)

OIG personnel also met with police union representatives in 2022:

January 20, 2022: Meeting with Attorney Michael Georgetti and Attorney Pat Tomaszewicz, counsel for the Hartford Police Union.

February 3, 2022: Meeting with AFSCME police union representatives.

March 14, 2022: Meeting with POACT Board

Councils of Government

Connecticut's councils of government are comprised of the chief executive officers of Connecticut's municipalities organized into regions. They meet regularly to discuss common concerns and policy issues.

August 24, 2022: Meeting with South Central Council of Government.



September 8, 2022: Meeting with Torrington Council of Government.



September 22, 2022: Meeting with Western Council of Government.

September 23, 2022: Meeting with Northeastern Council of Government.



September 28, 2022: Meeting with Capital Region Council of Government.

November 16, 2022: Meeting with Norwich Council of Government.

Schools

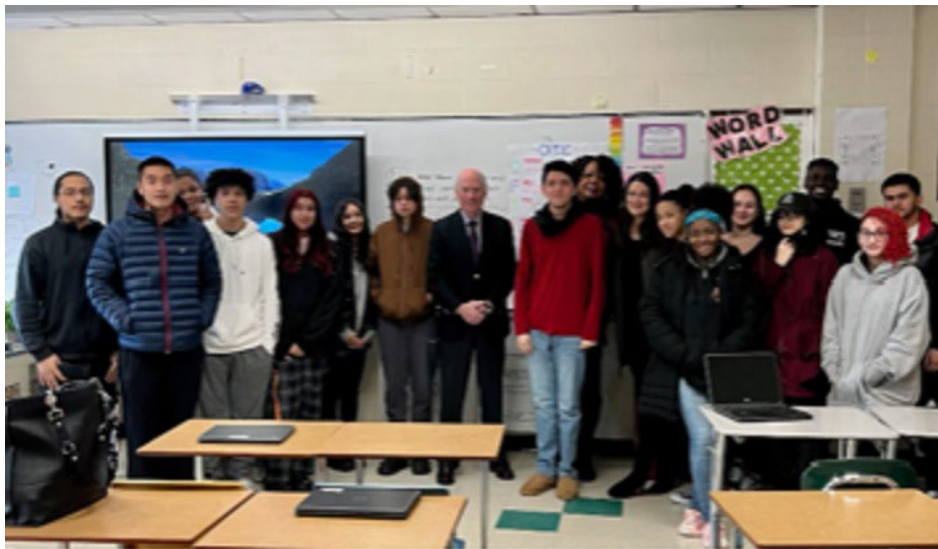
The OIG took the opportunity to address students at several local schools. These meetings were intended to foster a discussion regarding the work of the OIG as well as the interface of young people and the criminal justice system.

October 4, 2022: Duggan School



November 11, 2022: North End Middle School

December 1, 2022: Wilby High School with NAACP



December 1, 2022: State Street School

December 5, 2022: Career High School

December 9, 2022: Crosby High School

December 13, 2022: Career Academy



December 22, 2022: Kennedy High School



Other

On March 3, 2022, the OIG met with and addressed the Connecticut Bar Association, Criminal Justice Section.

RECOMMENDATIONS

Among the recommendations made in the 2022 OIG reports were the following:

Body-Worn Cameras / Dashboard Cameras

Effective July 1, 2022, all Connecticut police officers must wear and activate body-worn cameras (BWCs) when interacting with the public. In the officer-involved shooting cases that form the bulk of the OIG's work, video recordings from BWCs and dashboard cameras provide invaluable evidence. In most cases, the videos are persuasive proof of what happened. Such videos are particularly helpful when the statements of the parties involved conflict.

During 2022, the OIG investigated four cases where officers did not have a BWC issued to them by the police agency. In one additional case, the officers wore BWCs but they did not record because they were either not turned on or malfunctioned due to a dead battery. In each of these instances, the IG report noted the fact that the absence of the BWC recordings impaired the investigation. The OIG also encountered cases involving federal task forces that included municipal police officers. Since the federal agents did not wear BWCs, the local task force officers also did not wear cameras. Camera evidence in task force cases is particularly valuable as such operations often target violent offenders where the necessity of police having to use force is foreseeable. Hopefully after July 1, 2022, all task force officers will wear BWCs.

Shooting at Motor Vehicles

POSTC, the Connecticut State Police, and virtually all municipal police agencies have policies prohibiting officers from shooting at moving motor vehicles. Such policies are rooted in the common sense notion that shooting at moving motor vehicles creates serious risks to persons and property nearby. All of these policies, however, contain an exception for situations in which a motor vehicle is used as a weapon and officers are placed in a self-defense situation. While officers should avoid placing themselves in the path of a moving vehicle, they may use deadly force if a vehicle is steered toward them endangering them or others.

In two OIG cases, officers fired at moving vehicles in self-defense circumstances. In both instances, the IG determined the use of force to be justified. The reports in both cases, however, also endorsed the general prohibition on shooting at moving vehicles.

Suicide by Cop

Suicide by cop occurs when someone with suicidal thoughts provokes the police into fatally shooting them. The FBI estimates that as many as thirty percent of all OIS cases involve suicide by cop. For 2022, three OIG cases present clear instances of suicide (or attempted suicide) by cop.

These situations present challenges for the police. On the one hand, the person poses (or appears to pose) a genuine threat that the police cannot and should not ignore. On the other hand, the person is usually in a deeply depressed mental state. The good news is that there are techniques that might convince the person that suicide is not the answer to their troubles. The key is first to establish an environment where everyone is safe – subject, police, and civilians. It is only then that such techniques should be attempted.

The IG reports addressing the suicide by cop situations contain a listing of published articles discussing this phenomenon and providing practical suggestions on dealing with these volatile situations. It is an area that warrants further study and training.

Substitute Clothing for Persons in Police Custody

Persons in police custody are usually wearing the clothes they wore at the time of their arrest. In one IG case, the person was able to conceal drugs in his clothes that he later consumed causing his overdose death. Those particular clothes were manufactured with hidden pockets.

One method to address an arrestee's access to drugs while in a police holding cell is to take possession of the person's clothes and provide substitute clothing to wear while the person is in custody. Such substitute clothes could be similar to hospital scrubs. When the person went to court, the police would return the original clothes.

While involving some expense and extra work, substituting clothes would mitigate the risk of an in-custody overdose death.

LEGISLATIVE PROPOSALS

Modification of the 96 Hour Rule

Present law requires that recordings from BWCs and dashboard cameras be publicly disclosed within certain prescribed times. As a practical matter, this usually requires disclosure within 96 hours of the OIS incident. In rare situations, the 96-hour limit poses problems –

particularly where an involved officer is injured during the OIS incident. Moreover, in cases involving multiple officers, significant time is required to review all camera evidence.

The OIG proposes that the General Assembly amend the 96-hour rule to allow extra time (up to a maximum of an additional 48 hours) before public disclosure is required in situations where disclosure at 96 hours would impair the investigation.

CONCLUSION

This report covers the first year of operation of the OIG. I am grateful to the entire unit for its skillful and professional approach to these challenging cases.

Submitted this 23rd day of January, 2023



ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

APPENDIX A
General Statutes §51-277e

Effective: October 1, 2022

C.G.S.A. § 51-277e

**§ 51-277e. Office of the Inspector General established.
Appointment of Inspector General. Powers and duties of office**

<Text of subsec. (a) as amended by 2022, P.A. 22-61, § 3.>

(a) There is established the Office of the Inspector General that shall be a separate office within the Division of Criminal Justice. Not later than October 1, 2021, the Criminal Justice Commission established pursuant to section 51-275a shall appoint a deputy chief state's attorney as Inspector General who shall lead the Office of the Inspector General. The office shall: (1) Conduct investigations of peace officers in accordance with section 51-277a; (2) prosecute any case in which the Inspector General determines a peace officer used force found to not be justifiable pursuant to section 53a-22 or where a police officer or correctional officer fails to intervene in any such incident or to report any such incident, as required under subsection (a) of section 7-282e or section 18-81nn, as applicable; (3) investigate any failure to report the death of a person in accordance with the provisions of section 1 of public act 22-61; and (4) make recommendations to the Police Officer Standards and Training Council established under section 7-294b concerning censure and suspension, renewal, cancelation or revocation of a peace officer's certification, provided in the case of a failure to report a death of a person, any such recommendation may be made to said council only in a case where such failure is found to be intentional or made with reckless indifference, or if there is no finding that such failure was intentional or made with reckless indifference, a recommendation may be made to the officer's employing agency for any further disciplinary action as so determined by such employing agency.

<Text of subsec. (a) as amended by 2022, P.A. 22-114, § 5.>

(a) There is established the Office of the Inspector General that shall be a separate office within the Division of Criminal Justice. Not later than October 1, 2021, the Criminal Justice Commission established pursuant to section 51-275a shall appoint a deputy chief state's attorney as Inspector General who shall lead the Office of the Inspector General. The office shall: (1) Conduct investigations of peace officers in accordance with section 51-277a; (2) prosecute any case in which the Inspector General determines a peace officer used force found to not be justifiable pursuant to section 53a-22 or where a police officer or correctional officer fails to intervene in any such incident or to report any such incident, as required under subsection (a) of section 7-282e or section 18-81nn, as applicable; (3) investigate any failure to report in accordance with the provisions of subdivision (1) of subsection (h) of section 7-294d; and (4) make recommendations to the Police Officer Standards and Training Council established under section 7-294b concerning censure and suspension, renewal, cancelation or revocation of a peace officer's certification.

(b) The Inspector General shall serve a term of four years from July first in the year of the appointment unless sooner removed by the Criminal Justice Commission. The commission shall not be precluded from reappointing an individual who has previously served as Inspector General.

- (c) An Inspector General may be removed or otherwise disciplined only in accordance with section 51-278b.
- (d) The Inspector General may issue subpoenas to municipalities, law enforcement units, as defined in section 7-294, the Department of Correction and any employee or former employee of the municipality, unit or department (1) requiring the production of reports, records or other documents concerning an investigation described in subsection (a) of this section that is undertaken by the Inspector General, and (2) compelling the attendance and testimony of any person having knowledge pertinent to such investigation.
- (e) A chief of police of a municipality, the Commissioner of Emergency Services and Public Protection or the Commissioner of Correction may refer and the Inspector General shall accept any such referral of an incident described in subsection (a) of this section for purposes of an investigation.
- (f) The Office of the Inspector General shall be at a location that is separate from the locations of the Office of the Chief State's Attorney or any of the state's attorneys for the judicial districts.
- (g) The Inspector General may employ necessary staff to fulfil the duties of the Office of the Inspector General described in subsection (a) of this section. Such staff shall be selected by the Inspector General within the confines of any existing collective bargaining agreement and shall include, but not be limited to, an assistant state's attorney or a deputy assistant state's attorney, an inspector and administrative staff. As needed by and upon request of the Inspector General, the Office of the Chief State's Attorney shall ensure assistance from additional assistant state's attorneys or deputy assistant state's attorneys, inspectors and administrative staff.

Credits

(2020, July Sp.Sess., P.A. 20-1, § 33, eff. July 31, 2020; 2021, P.A. 21-8, § 6, eff. May 6, 2021; 2022, P.A. 22-61, § 3, eff. Oct. 1, 2022; 2022, P.A. 22-114, § 5, eff. Oct. 1, 2022.)
C. G. S. A. § 51-277e, CT ST § 51-277e

The statutes and Constitution are current with all enactments of the 2022 Regular Session and the 2022 November Special Session.

APPENDIX B
General Statutes §51-277a

Effective: October 1, 2022

C.G.S.A. § 51-277a

§ 51-277a. Investigation and prosecution of the use of physical force by a peace officer, the death of a person in custody or failure of a peace officer to intervene in or report an incident. Reporting upon conclusion of investigation

- (a) (1) Whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, upon another person, the Division of Criminal Justice shall cause an investigation to be made and the Inspector General shall have the responsibility of determining whether the use of physical force by the peace officer was justifiable under section 53a-22.
- (2) (A) Except as provided under subdivision (1) of this subsection, whenever a person dies in the custody of a peace officer or law enforcement agency, the Inspector General shall investigate and determine whether physical force was used by a peace officer upon the deceased person, and if so, whether the use of physical force by the peace officer was justifiable under section 53a-22. If the Inspector General determines the deceased person may have died as a result of criminal action not involving the use of force by a peace officer, the Inspector General shall refer such case to the Chief State's Attorney or a state's attorney for potential prosecution.
- (B) Except as provided under subdivision (1) of this subsection or subparagraph (A) of subdivision (2) of this subsection, whenever a person dies in the custody of the Commissioner of Correction, the Inspector General shall investigate and determine whether the deceased person may have died as a result of criminal action, and, if so, refer such case to the Chief State's Attorney or a state's attorney for potential prosecution.
- (3) Whenever a person who (A) is a next of kin of a deceased person, (B) is not notified of such deceased person's death as required pursuant to section 1 of public act 22-61 and no other person who is a next of kin of the deceased person was so notified, and (C) requests of the Office of the Inspector General an investigation of the lack of notification or timely notification of such death, the Inspector General shall investigate and determine whether there was any malfeasance on the part of a peace officer or a supervisor of the peace officer in the failure to provide such notification or timely notification, and if so, may make recommendations to the Police Officer Standards and Training Council established under section 7-294b concerning censure, suspension, renewal, cancelation or revocation of the peace officer's or supervisor's certification, provided any such recommendation may be made to said council only in a case where such failure is found to be intentional or made with reckless indifference. If there is no finding that such failure was intentional or made with reckless indifference, a recommendation may be made to the officer's or supervisor's employing agency for any further disciplinary action as so determined by such employing agency.
- (4) The Inspector General shall request the appropriate law enforcement agency to provide such assistance as is necessary to investigate and make a determination under subdivision (1), (2) or (3) of this subsection.

(5) Whenever a peace officer, in the performance of such officer's duties, uses physical force or deadly force upon another person and such person dies as a result thereof, the Inspector General shall complete a preliminary status report that shall include, but need not be limited to, (A) the name of the deceased person, (B) the gender, race, ethnicity and age of the deceased person, (C) the date, time and location of the injury causing such death, (D) the law enforcement agency involved, (E) the status on the toxicology report, if available, and (F) the death certificate, if available. The Inspector General shall complete the report and submit a copy of such report not later than five business days after the cause of the death is available to the Chief State's Attorney and, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.

(b) Upon the conclusion of the investigation of an incident described in subdivision (1) or (2) of subsection (a) of this section, the Inspector General shall file a report with the Chief State's Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of physical force by the peace officer was justifiable under section 53a-22, and (3) any recommended future action to be taken by the Office of the Inspector General as a result of the incident. The Chief State's Attorney shall provide a copy of the report to the chief executive officer of the municipality in which the incident occurred and to the Commissioner of Emergency Services and Public Protection or the chief of police of such municipality, as the case may be, and shall make such report available to the public on the Division of Criminal Justice's Internet web site not later than forty-eight hours after the copies are provided to the chief executive officer and the commissioner or chief of police.

(c) The Office of the Inspector General shall prosecute any case in which the Inspector General determines that (1) the use of force by a peace officer was not justifiable under section 53a-22, or (2) there was a failure to intervene in such incident or to report any such incident, as required under subsection (a) of section 7-282e or section 18-81nn.

Credits

(1988, P.A. 88-199; 1990, P.A. 90-230, § 66, eff. June 8, 1990; 1998, P.A. 98-48, § 1; 2011, P.A. 11-51, § 134(a), eff. July 1, 2011; 2015, June Sp.Sess., P.A. 15-4, § 4; 2019, P.A. 19-90, § 3, eff. Oct. 1, 2019; 2020, July Sp.Sess., P.A. 20-1, § 34, eff. Oct. 1, 2020; 2021, P.A. 21-8, § 7, eff. May 6, 2021; 2022, P.A. 22-37, § 31, eff. Oct. 1, 2022; 2022, P.A. 22-61, § 2, eff. Oct. 1, 2022.)
C. G. S. A. § 51-277a, CT ST § 51-277a

The statutes and Constitution are current with all enactments of the 2022 Regular Session and the 2022 November Special Session.