



State of Connecticut

African-American Affairs Commission

State Capitol

210 Capitol Avenue – Room 509

Hartford, CT 06106

860-240-8555

February 24, 2014

Good morning Senator Coleman, Representative Fox and members of the Judiciary Committee. My name is Glenn A. Cassis and I am the Executive Director of the African-American Affairs Commission (AAAC). The mission of the Commission is to promote and improve the economic, educational, health safety and political well-being of the African-American community in Connecticut. I wish to submit testimony in support of **Raised Bill No. 55 – An Act Concerning Complaints That Allege Misconduct By Law Enforcement Agency Personnel.**

For the past two years the African-American Affairs Commission (AAAC) has participated in numerous public meetings around the state on the issue of community and law enforcement. Members of the public initially came to these meetings to get a better understanding of Connecticut's Alvin W. Penn Racial Profiling Prohibition Act (Connecticut General Statutes Sections 54-1l and 54-1m) which prohibits any law enforcement agency from stopping, detaining, or searching any motorist when the stop is motivated solely by considerations of the race, color, ethnicity, age, gender or sexual orientation. During every meeting, without fail, we hear stories from attendees about alleged police misconduct against members of the community. In all cases the victims were people of color and mostly male. These reports have always concerned the AAAC but took on much more significance this past November when a member of my family was victimized by a sworn officer of a law enforcement agency.

Our Mission

To improve and promote the economic development, education, health and political well-being of the African-American community in the State of Connecticut

Early Saturday morning (approx. 2 AM) my godson was leaving a popular night club in New Haven near the Omni Hotel. He was in New Haven to attend The Game (Harvard vs Yale). After graduating Bloomfield High School at the top of his class he was awarded a full scholarship at Yale where he started on the varsity football team for three years (only 5'7" & 160 pounds) and graduated with honors in finance. Upon his graduation he worked for a year and a half for an international finance and banking firm in New York City. After advancing he moved to Florida and worked for a hedge fund company. After two years he earned enough to attend and later graduate from Columbia University with an MBA. With his degree in hand he was hired as a senior associate for a premier consulting and financial advisory firm with offices in NYC, Detroit, seven other major cities in the US, London, England and Frankfurt, Germany. He is happily married to an army reservist who directs human resources for a major professional sports franchise. This young African-American male was never in trouble and was living the American dream until he was victimized by an overzealous police officer.

Upon leaving the club just around the corner from the Omni Hotel where my godson was staying for the weekend, he was met with a very bright light from a police officer standing outside the club. Leaving a dark environment and getting hit in the face with a bright light was not a pleasant encounter. My godson inappropriately commanded the unidentified person to "get the f___in' light out of my face." When he tried to walk past the person, he was shoved by the individual and asked "what did you say?" Now realizing that the person holding the light was a police officer, my godson replied "nothing" and continued to walk past the officer towards his hotel. Not satisfied with the response, the officer became aggressive, shoved my godson to the ground, causing him to hit his face on the street resulting in a black eye. He was handcuffed, patted down, put into a vehicle, taken to police headquarters, booked for disorderly conduct and resisting arrest. Although taken to the hospital, he refused medical attention and went back to his hotel room.

When my godson called me the next day and told me what happened I was shocked and outraged. Just 3 days before this incident, I was part of a panel of officials who participated in a community meeting on policing at Career High School in New Haven. During the meeting we heard at least half dozen complaints for residents about misconduct by law enforcement. Never did I think that days later one of my own family would become a victim.

A month earlier we made plans for my godson and his wife to come to our home for Thanksgiving dinner. Little did we know that the day after Thanksgiving would we spend the morning in New Haven court requesting a continuance for the arrest charge. Our first reaction was to fight the charges and press charges on the officer. We considered requesting surveillance tapes from the street and getting sworn depositions from some of my godson's friends who witnessed the incident. We discussed filing with the ACLU and CHRO. We learned that although an injustice occurred, the immediate concern was to deal with the court before taking actions. After securing an attorney, we were advised to settle rather than get stuck in the system. Basically one of the best local attorneys on matters like this told us that unless my godson was roughed up to the point that he was injured, hospitalized, lost time from work or had a great deal of pain and suffering, he should work out a deal.

In mid-December my godson took a day off from his job in NYC, traveled to New Haven and appeared in court. For the first time we read the report filed by the arresting officer. It was filled with lies and misrepresented the incident. A copy of the report is included in my testimony. It accused my godson of shoving the officer, admitting to have been drunk, apologizing for his "actions" and using numerous profanities. Admittedly my godson uttered one profanity but that was all. This young man has been and continues to be a model citizen with never a detention or demerit in his entire time as a student much less any run-in with the law in his life. On occasion he has had a beer is far from a drinker. He has never been drunk and if he were drunk on the night in question why the charge of wasn't drunken disorderly filed? My godson had to seriously consider his options. Career wise he could not afford to be tied up in a long battle with the courts. He would rather not be burdened with court and attorney costs. The mental strain would be very taxing. The deal turned out to be a \$250 fine to a court selected charity and removal of the incident from the record in 30 days if no further incident occurred.

Reluctantly we agreed that this was the best decision that my godson could expect. We were told that if he fought the charge, he could face a charge of assault, a long court battle, several trips to New Haven, a criminal record and the risk the consequences of being stopped in NYC under the stop and frisk and getting deeper in the criminal justice system. Unfortunately for too many African-American males, this is a reality.

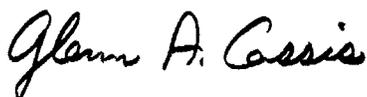
This is one incident that hit home to me but I am convinced it is happening too often. As painful and unjustified as this incident was with my godson, he was blessed. He is well educated, a model citizen, a clean history (until this incident), climbing the corporate ladder and blessed with a family ready to support him. What I am most concerned about, is what happens to other men of color who are average citizens without the social capital my godson has earned. He could not challenge law enforcement because the system does not allow for an even playing field.

A written policy needs to be in place that allows the complainant to file a complaint and be assured that a complete and fair investigation can be conducted. The written policy should be developed in concert with civilians not associated with law enforcement and the POST Council. In addition complainants should not be forced to bear unreasonable costs for filing complaints. The written policy should require that all previous complaints against the sworn officers be available to the complainant.

Understand that I do not have ill will against law enforcement. My deceased father, who I am celebrating the 86th anniversary of his birth, was an officer in the NYPD. I have many friends, acquaintances and colleagues in law enforcement who I respect and honor for putting their lives on the line to protect me, my family and community. However there are rouge officers who do a disservice to the uniform who must be removed from service. I want to believe that this is a very small percent who engage in this criminal behavior but lately my belief is being challenged. I am convinced that **Raised Bill No. 55** begins to address the issue and must be supported.

Thank you for your time.

Submitted by,



Glenn A. Cassis

Executive Director

Attachment

INITIAL FVOR SUPPLEMENTAL VAR
NEW HAVEN DEPARTMENT OF POLICE SERVICE
CASE INCIDENT REPORT (NARRATIVE)

Page <u>2</u> of <u>4</u>	COMPLAINT NO 13-56079
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On 11/23/13 at 0000 hours Officer Cristofalo and I were assigned to the bar detail as beat 134. We were supposed to stand in the front of Club Pulse but it was closed. We then got redirected to stand in the front of Lazy Lizards located at 201 Crown Street for crowd control. Officers get assigned to the bar detail in attempt to maintain crowd control. There have been multiple complaints regarding Weapons, drugs, excessive alcohol use, and other quality of life issues when the night clubs make everyone exit their establishments.

While we were at said location, I saw that the club had a big crowd inside so when it was time for everyone to leave, I called for more Officers to come and assist us. At approximately 0200 hours Lazy Lizards employees began to make people exit the club. In order to insure the safety of the people as they come out of the club, we have them move away from the exit points as quickly as possible. If the crowd is to slow in getting out or causing a big jam to occur in the door way, I shine my light towards the doorway in attempt to get their attention.

Some people would not obey our commands so I would personally escort them by the arm without further incident. A black male who was later identified as Johns Fredericks-Lorenzo (DOB 07/31/82) was exiting the club. He then came to a complete stop right in the middle of the doorway. People were telling him to move and they even tried to get around him but he did not comply. I shined my light in his direction and he said, "Get that fucking light out of my fucking face". I told him to leave the club if he did not want me to shine my light in his direction. Lorenzo did not comply and he stayed in the middle of the doorway. I walked up to Lorenzo and I grabbed him by his right arm in attempt to move him out of the middle of the door way.

In a very aggressive and agitated manner, Lorenzo conducted a rear elbow strike in my direction. He did not make contact because I moved out of the way. I then attempted to grab his left arm. When I grabbed Lorenzo's left arm he said, "Get the fuck off of me". I tried to escort Lorenzo further down the side walk by his arm but he was so agitated that we ended up in the street in front of said location. At that point, using my left hand, I had Lorenzo by his left wrist. I told Lorenzo to just leave and go home and he said, "Fuck you" and made a fast movement as if he was going to punch me with his right closed fist. I then executed a right closed fist punch, connecting with the right side of his face in order to protect myself from being punched by Lorenzo.

Officer Cristofalo then ran over to me in attempt to put Lorenzo into hand cuffs. I told Lorenzo to stop resisting multiple times but he would not comply. Other fellow Officers arrived on scene and Lorenzo was placed into hand cuffs without further incident. I asked Lorenzo if he needed medical attention but he declined on scene.

When I escorted Lorenzo to the rear of the prisoner conveyance van, he spontaneously uttered, "Can I go home I didn't mean to do that I was drunk". I asked Lorenzo once again if he wanted medical attention but he declined once again.

Officer Jason Santiago	914	DATE 11/26/13	PAR. SUPERVISORS NAME AND TITLE Sgt. Rose J. Dell #405
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NEW HAVEN DEPARTMENT OF POLICE SERVICE
CASE INCIDENT REPORT (NARRATIVE)

Page 2 of 4	COMPLAINT NO 13-56079
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Lorenzo was charged with Interfering with a Police Officer C.G.S. 53a-167(a) and Disorderly Conduct C.G.S. 53a-182. He was then transported to 1 Union Avenue to in house Detention Center for further processing.

Upon his arrival the Marshals would not accept him because his left cheek had gotten swollen. I then was told to issue **Lorenzo** a Misdemeanor Summons for the above stated charges per Sgt **Pena**. AMR then arrived to the Detention Center and **Lorenzo** was then transported to Yale New Haven Hospital for further medical attention.

Lorenzo is summoned to appear in court on 11/29/13 at 0900 hours under summons number MC 199105 for the above stated charges.

I filled out a use of force form and it was attached to this report. No further action taken by this Officer at this time.

Officer [Redacted]	[Redacted]	DATE 11/28/13	PRINT SUPERVISORS NAME AND RANK Sgt. Rose J. De ll #408
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