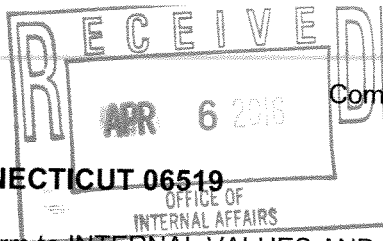


Civilian Complaint Form Informe De Querella Civil



Complaint No./Querella No.

018-16-C

**DEPARTMENT OF POLICE SERVICE
1 UNION AVENUE NEW HAVEN, CONNECTICUT 06519**

Please deliver in person or mail completed form to INTERNAL VALUES AND ETHICS at the above address. Please retain the second copy for your records. Use the number in the upper right corner for reference. Forms received by mail will be acknowledged in writing within 7 days of receipt. *Favor de entregar este formulario al cuartel en persona, o de enviarlo a: INTERNAL VALUES AND ETHICS, Department of Police Service a la direccion mencionada arriba. Favor de retener la Segunda copia para su uso personal. Se puede referir al numero en la esquina derecha. Cuando lo envie por correo, se le notificara por escrito dentro de siete dias.*

Date & Time Reported Hora y fecha de informe 3-29-16 4-6-16	Date & Time of Incident Hora y fecha de querella 3-24-16 5-5:30pm	Location of Incident Lugar de informe Ferry St, New Haven
-------------------------------------------------------------------	-------------------------------------------------------------------------	-----------------------------------------------------------------

Complainant's Last Name Apellido de querellante Lee	First Name Nombre Dwayne	Date of Birth Fecha de Nacimiento 11-27-93	Race Raza A.A.
Mailing Address/Apartment or Floor Direccion Postal/Apt. o Piso 45 Hemingway St	City, State, Zip Code Cuida, Estado New Haven, CT	Day Phone Tel. dia 203-996-9539	Evening Phone Tel. noche 203-996-9539
Employer's Name Nombre de su empleado None	Address Direccion	Occupation Ocupacion	Day Phone/Evening Phone Tel. Dia/Tel Noche

Witness's Last Name Apellido de testogp(s)	First Name Nombre	Age Edad	Mailing Address/Apartment or Floor Direccion Postal/Apt. o Piso	Day Phone/Evening Phone Tel. Dia/Tel Noche
Henry	Rashem	late 20's		203-909-9717

Time and Date of Occurrence/Hora y fecha de incidente 3-24-16 around 5:30pm	Location/Lugar Ferry St, New Haven, CT
--------------------------------------------------------------------------------	-------------------------------------------

Name of Police Department Member(s) involved - if unknown, provide description / Nombre del policia(s) - Si lo desconoce, provea descripcion Officer Di Crenzo Officer Sullivan 2 unknown officers	Shield #/Num de placa unknown unknown unknown	Division/Division Patrol Patrol Patrol
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------	-------------------------------------------------

Nature of Complaint/Tipo de querella:

<input type="checkbox"/> Arrest/Arresto	<input checked="" type="checkbox"/> Harassment	<input checked="" type="checkbox"/> Search of Property/Registro de su propiedad
<input type="checkbox"/> Detention/Detencion	<input checked="" type="checkbox"/> Other Complaint/Otro tipo de querella	<input type="checkbox"/> Sexual Harassment/Persecucion Sexual
<input type="checkbox"/> Excessive Force/Use de fuerza excesiva	<input checked="" type="checkbox"/> Property Lost by Officer/Propiedad perdida por policia(s)	<input checked="" type="checkbox"/> Theft by Officer/Robo por un policia(s)
<input type="checkbox"/> Hate or Bias/Incidente basado en odio o perjuicio	<input type="checkbox"/> Racial Profiling	<input checked="" type="checkbox"/> Verbal Abuse/Abuso verbal
	<input checked="" type="checkbox"/> Search of Person/Registro de su persona	

Details of Complaint (Use reverse side of paper if more space is required/Provea los detalles de su querella. (Si necesitas mas espacio sa la reversa de esta aplicacion).

See attached

Complainant's Signature/Firma del querellante Dwayne Lee	Date/Fecha 3-29-16	Police Officer Recieving Complaint Form/Personal Policia Reciviendo Informacion
-------------------------------------------------------------	-----------------------	---------------------------------------------------------------------------------

Delivered by Andrea Lee

On 3/24/16 around 5 pm I was at Sunoco on Ferry and Chapel pumping my gas when I noticed to police cars pulled at a red light. They let the light change from green back to red without moving their cars. I finished pumping my gas, got back in the car and waited a few seconds to see if the police were going to pull off. They did not so I started the car and began to pull off. As I proceeded to pull off I took a right out of the gas station on Ferry St. Now both police cars pull off and took a right onto Ferry St behind me, initially they were on Chapel St at the light.

At that point the police officers pulled me over. I stopped my car and two officers from each car got out and walked up to my car and told me and my passenger not to touch our phones and not to call anybody.

Officer DiCrenzo asked if I remembered him. And then told me I tried to hit him with my car a few months so every time they pull me over they are going to take precautions and make me get out of my car and put me in handcuffs. Officer DiCrenzo then opened my car door and instructed me to get out I followed his commands and got out of the car. I was immediately placed in handcuffs and told to sit on the police car.

The officers made my passenger Rasheem Henry get out of the car and stand on the sidewalk. He was not placed in handcuffs. Mr. Henry said he had not been "45" in a long time. And both DiCrenzo and Sullivan said he would be "45" all time as long as he is with me. Both officers told Mr. Henry he should not hang with me because I would get him in trouble or make him "hot".

At that point I questioned what they were doing and why was I pulled over and that is when Officer DiCrenzo said my brake light is out. No time before this did any of the police officers advised me of the reason I was pulled over. I asked him how he knew my brake light was out when the car was not on when I was pumping gas and when it appears they initially spotted me. I then said you waited for me to finish pumping my gas and leave the gas station to pull me over. Officer Sullivan said so what if we waited for you. I asked if this is the procedure when a brake light is out that you have to take me out of the car, put me in handcuffs and make me sit on a police car on Ferry St. Officer DiCrenzo said this is going to happen to you every time because you tried to kill us. And I said no I didn't try to kill you that 0..

00

11is what you all said.

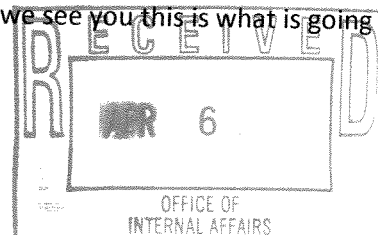
Officer DiCrenzo said to Officer Sullivan don't you remember him he was the one that tried to run us over a few months ago. Officer Sullivan said I know, I remember.

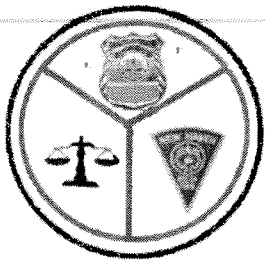
Officer DiCrenzo, Officer Sullivan and the other two officer started to search the car I was driving. They ransacked the car and the trunk. While they were searching the car my jacket was in the car. When I got back in the car and checked my jacket the \$200 I had in my pocket was missing. I didn't realize my money was missing until after the officers pulled off.

There was a small bag of weed in the driver's door, I was given a ticket for the weed. And a warning for the brake light being out. ✓

Officer DiCrenzo then stated "we have a hard on for you" so every time we see you this is what is going to happen.

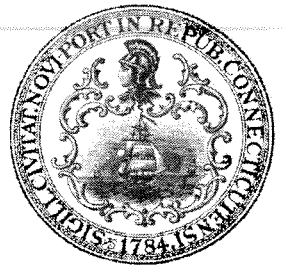
Dwayne





**NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs Unit**

One Union Avenue • New Haven • Connecticut • 06519



*Anthony Campbell
Acting Chief of Police*

*Toni N. Harp
Mayor*

**To: Lieutenant Racheal Cain
From: Detective Lynn Meekins
Date: October 20, 2016**

INTERNAL AFFAIRS CASE FILE 018-16-C

**Complainant: Dwayne Lee
Allegations: Missing Money and Harassment
Date of Incident: March 24, 2016
Subject Officer: Officer Louis DeCrescenzo**

COMPLAINT

On April 6, 2016, Ms. Andrea Lee, mother of Dwayne Lee filed a Civilian Complaint Form on behalf of her son against Officer Louis Decrescenzo. The complaint alleged that on March 24, 2016, during a motor vehicle stop conducted by Officer Decrescenzo, Dwayne Lee (operator) was harassed by Officer Decrescenzo and \$200.00 (Two Hundred Dollars) in cash was missing from Lee's coat pocket. Officer Decrescenzo issued Lee Infraction # S574712-0 for the following violations: Possession of Marijuana 21a-279a, a \$150.00 fine and No Brake Light (14-96e) in which Lee received a verbal warning.

STATEMENT BY DWAYNE LEE

After numerous rescheduled appointments due to Lee's limited availability due to scheduled court appearances for active cases in the towns of: (2) cases in Hamden (GA 7 Meriden), (3) cases in New Haven (GA 23 New Haven), CSP Troop E (GA 21 Norwich) and Waterford (GA 10 New London), I interviewed Lee on June 16, 2016 in the Internal Affairs office and obtained an audio recorded statement. Lee completed a False Statement Warning Form prior to interview being initiated. Sgt. Jason Weted assisted in the interview.

According to Lee, the morning of March 24, 2016, he left his home wearing a jacket and placed money in his pocket before picking up his friend, Rasheem Henry, to head to New York to shop. After he picked up his friend, Lee realized he forgot some of his money and returned home to retrieve it. According to Lee, he placed a One-hundred-dollar bill in the right pocket of his jacket he was wearing. Eventually, Lee took off his jacket and tossed it in the back seat of his car because it was "muggy".

From there, Lee drove to the gas station at the intersection of Chapel and Ferry Street. Lee exited his car, leaving his jacket in the vehicle with the passenger to pay the gas attendant at the window. When he returned to pump the gas, Lee noticed two officers in a patrol car stopped at a traffic light; the officers were looking in his direction. After fueling his car, Lee drove off the lot. The officers followed and conducted a motor vehicle stop. Lee pulled over. DeCrescenzo approached the driver's side window and greeted Lee by name. DeCrescenzo's partner approached the passenger side. DeCrescenzo directed Lee to exit his vehicle. Lee questioned DeCrescenzo's directive. DeCrescenzo reminded Lee of their last encounter in November 2015 in which DeCrescenzo explained how Lee tried to hit him with a car. DeCrescenzo explained that as a precaution, Lee was going to be handcuffed for officer safety. Lee responded, "I wasn't placed under arrest...so I pulled off!" DeCrescenzo escorted Lee to his patrol car (positioned behind Lee's vehicle) and sat on the hood. The passenger was also removed from the car while DeCrescenzo and other officers searched the interior of his vehicle and trunk. Lee claimed he couldn't monitor the interior search of his vehicle because he has "illegal dark" tinted windows on all windows but wasn't concerned because there wasn't anything illegal in the vehicle nor was he concerned about being arrested. Lee claimed the officers didn't find anything illegal and was allowed to leave. Lee stated that DeCrescenzo did reiterate that he will use precaution every time he encounters Lee and then "un-handcuffed" him. Because of that statement, Lee felt DeCrescenzo was harassing him.

Lee acknowledged he received an infraction for Possession of Marijuana (total less than one-half ounce) that was discovered in his vehicle; as well as, a verbal warning for Failure to have Stop Lamp (no brake light) which he has since had repaired. Lee stated he did not consider possession of marijuana as illegal contraband because he has been approved for a medical marijuana license due to a diagnosis of PTSD (Post Traumatic Stress Disorder) as a result of a traumatic brain injury from a motor vehicle accident. The disorder affects his memory and easily becomes confused. To date (6/16/16), he has not received an official I.D. card.

Lee alleged he realized money was missing from his jacket pocket when they arrived at the jewelry store in NY. Lee admitted he didn't verify money was in his jacket pocket since that morning after tossing the jacket in the back seat of his car or after fueling his car. Lee claimed he had One-hundred-dollar bill in his right jacket pocket but didn't notify the officer or the department of the missing money. Lee stated he didn't see DeCrescenzo handle his jacket during this encounter; however, observed DeCrescenzo going back and forth to and from the vehicle, whispering with the other officers and felt because of their behavior, the officers "conspired" and took his money.

STATEMENT BY OFFICER MATTHEW BORGES

On August 3, 2016, an audio recorded statement was obtained from Officer Matthew Borges. Union representative Juan Monzon was present for during interview. Sgt. Manmeet Colon of the Internal Affairs Unit assisted in the interview. Both a False Statement Warning and an Internal Administrative Investigation Warning Form were signed by Officer Borges.

According to Borges on March 24, 2016, he and his partner Officer Louis DeCrescenzo were assigned as Crime Suppression Unit 831M. On patrol in the Fairhaven district, they observed a vehicle with its right brake light out. As the vehicle pulled over, he noticed the driver leaning into the backseat. Borges stated they approached the vehicle quickly. Borges stated the driver told them he was reaching for his jacket. Borges stated he saw a bag of weed in the driver's side door pocket and smelled a mixture of unburned and freshly burnt marijuana. The driver, Dwayne Lee and passenger Rasheem Henry were asked to step out the vehicle. Both complied. Borges escorted the passenger to the back of the vehicle while Decrescenzo conducted the vehicle search and found two bags of marijuana; one on the door, the second in the center console.

Borges stated he, Dwayne Lee and the passenger were standing more toward the sidewalk, in clear view of Dwayne Lee's car as it was searched by DeCrescenzo and Officer Sean Sullivan.

Borges did not see DeCrescenzo handle a jacket or money on scene nor was he (Borges) aware of the allegation of missing money. This was Borges' first encounter with Dwayne Lee.

STATEMENT BY OFFICER SEAN SULLIVAN

On August 3, 2016, an audio recorded statement was obtained by Officer Sean Sullivan. Union representative Juan Monzon was present during interview. Sgt. Manmeet Colon of the Internal Affairs Unit assisted in the interview. Both a False Statement Warning Form and an Internal Administrative Investigation Warning Form were signed by Officer Sullivan.

According to Sullivan on March 24, 2016, he arrived on scene to backup Decrescenzo and his partner Officer Borges during a motor vehicle stop involving driver, Dwayne Lee and his passenger. All occupants were out of the vehicle upon Sullivan's and his OIT (Officer in Training) Tony Rankin's arrival. After the discovery of marijuana inside of the vehicle, DeCrescenzo asked Sullivan to assist in the search of Lee's vehicle. No additional contraband was discovered and Lee was issued an infraction. Lee signed the ticket and drove away.

Sullivan recalled Lee handling his jacket after requesting to retrieve either a cell phone or lighter from his jacket pocket; however, didn't see any money handled on scene. Prior to this interview, Sullivan was unaware of Lee's allegation of money missing.

STATEMENT BY OFFICER LOUIS DECRESCENZO

On August 4, 2016, an audio recorded statement was obtained from Officer Louis DeCrescenzo. Union representative Juan Monzon was present for the interview. Sergeant Manmeet Colon of the Internal Affairs Unit assisted with the interview. Both a False Statement Warning Form and an Internal Administrative Warning Form were signed by Officer Louis DeCrescenzo.

On March 24, 2016, Officer DeCrescenzo was assigned as Crime Suppression 831M in the Fairhaven section of New Haven with partner Officer Matthew Borges. During patrol, a vehicle turned in front with a brake light out. DeCrescenzo conducted a motor vehicle stop near the intersection of Ferry and Chamber Streets. Upon approach of the driver side of the vehicle, DeCrescenzo smelled the scent of marijuana emanating from the interior of the car and recognized the operator as Dwayne Lee. DeCrescenzo stated he has had two prior incidents with Lee; each resulted in a firearm being recovered and Lee being arrested. The last incident, occurred in 2015 where Lee's reckless behavior could have caused serious physical injury to DeCrescenzo and other officers. Based on their history, Lee's criminal past as a known gang member, DeCrescenzo deemed it necessary to use heightened precaution during the motor vehicle stop.

DeCrescenzo gave the directive for Lee to exit the car. Lee complied. Lee was temporarily detained and secured in handcuffs. Lee and the passenger stood curbside until a cover unit, Officer Sean Sullivan and his Officer in Training (OIT) arrived on-scene. Sullivan assisted DeCrescenzo in the search of Lee's vehicle, resulting in the discovery of (2) – Two bags of marijuana (less than one-half ounce). DeCrescenzo issued an infraction for Possession of Marijuana and verbal warning for No Brake Light. According to DeCrescenzo, money was not located in the vehicle nor recalls a jacket inside the vehicle. Lee signed the ticket and was free to leave. According to police CAD records, total duration of the motor vehicle stop was 28 minutes.

DeCrescenzo described Lee's behavior as vulgar and hostile toward police; however, Lee didn't offer any physical resistance. DeCrescenzo stated he hasn't had any contact with Lee since the last incident in 2015. Prior to this interview, DeCrescenzo was unaware of the allegation of missing money.

FINDING OF FACTS


Based on this investigation and Lee's statement, it should be noted there were inconsistencies regarding total amount of money missing, whether he was wearing the jacket when he returned home or if his friend accompanied him when he returned home to pick up the additional money. Lee admitted the last time he could account for his money was that morning and had not verified the contents of his pocket before his encounter with the officers.


Lee stated he believes DeCrescenzo took his money because DeCrescenzo was going back and forth to his car, whispering with other officers and didn't understand what they were whispering about. The passenger, Rasheem Henry could not be reached to obtain a statement.

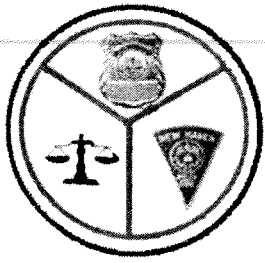
A check of the property room revealed the contraband was logged as evidence only. A subsequent check for video footage of the incident requested from the Sunoco gas station located at 61 Chapel Street met with negative results.

When presented with the discrepancy, Lee stated it's possible he is confused with the total amount he claimed but is confident money was missing from his pocket. The amount alleged missing in the Civilian Complaint was listed as \$200.00. Lee claimed the amount was \$100.00 in cash (a One-hundred-dollar bill).

Based on this investigation, the evidence fails to prove or disprove the alleged act occurred. It was determined that Officer Louis Decrescenzo engaged in no misconduct. The complaint has been closed with the disposition of **NOT SUSTAINED**.

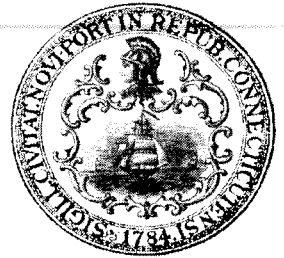
 #300
Lieutenant Racheal Cain
OIC – Internal Affairs Unit


Detective Lynn Meekins
Investigator, Internal Affairs Unit



*Anthony Campbell
Acting Chief of Police*

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs Unit
One Union Avenue • New Haven • Connecticut • 06519



*Toni N. Harp
Mayor*

November 14, 2016

Officer Louis DeCrescenzo
One Union Avenue
New Haven, CT 06519

Officer DeCrescenzo,

On April 6, 2016, Ms. Andrea Lee, mother of Dwayne Lee, filed a Civilian Complaint, IA# 018-16-C, on the behalf of her son against you alleging Missing Money and Harassment. The incident occurred on March 24, 2016.

The complaint was investigated and has been closed with the disposition of **Not Sustained** – evidence fails to prove or disprove that the alleged act occurred.

If you have any questions or concerns, I can be reached at (203) 946-6249.

Respectfully,

Det. L. Meekins
Detective Lynn Meekins

x emailed to Decrescenzo, CC: Elm city president + hard copy.

Dedicated to Protecting Our Community

phone (203) 946-6249 fax (203) 946-5445 website www.cityofnewhaven.com/police



NEW HAVEN
DEPARTMENT OF POLICE SERVICE
One Union Avenue • New Haven • Connecticut • 06519



Dean M. Esserman
Chief of Police

Toni N. Harp
Mayor

To: Assistant Chief Luiz Casanova
From: Captain Julie Johnson (JJ)
Date: March 4, 2015
Re: Officer Involved Motor Vehicle Accident

Please see the attached report prepared by Sergeant S. Abdussabur, regarding an on-duty motor vehicle accident involving Officer L. Decrescenzo, where he was found at fault. Officer Decrescenzo states that while backing car 85 from its parking spot, he backed into a tree. The car was parked in the middle of the sidewalk on South Orange Street near West Water Street. The tree was located in the middle of the sidewalk, and he inadvertently struck in while trying to get his car out of the spot. This caused minimal damage to the vehicle.

This is Officer Decrescenzo's first at-fault accident since his hire date of 9/8/2009.

Lt. Siclari's evaluation of Officer Decrescenzo is attached.

These documents are submitted for your review.

Dedicated to Protecting Our Community

phone (203) 946-6333 fax (203) 946-7294 website www.cityofnewhaven.com/police

DEPARTMENT OF POLICE SERVICE

NEW HAVEN, CONNECTICUT

REPORT TO THE CHIEF CONCERNING VIOLATION OF DEPARTMENT RULE/ORDER

EMPLOYEE Louis Decrescenzo

TITLE Patrol

Div. Uniform Patrol

REPORTED BY Shafiq R. F. Abdussabur, Patrol Sergeant

DATE February 5, 2015

RULE/ORDER VIOLATED G.O. 87-5

DATE OF VIOLATION Wednesday January 28, 2015 TIME OF VIOLATION 1545 hours

OFFICER NOTIFIED OF VIOLATION ON 1/29/2015 BY WHOM Shafiq R. F. Abdussabur

SUMMARY OF INVESTIGATION:

On Wednesday January 28, 2015, I was assigned as the F-2 Supervisor. On that date I was contacted via radio (approximately 1545) by Patrol Officer Louis Decrescenzo who was assigned to Beat 831M.

We spoke via phone. He stated that while backing Car 85 from its parking space he inadvertently back into a tree. The tree is located in the middle of the sidewalk on S. Orange Street near W. Water Street. Car 85 was parked on the sidewalk of S. Orange Street near the On-Ramp. He continued to a MVA call in District 8. While on that call, he noticed that the rear bumper to Car 85 was cracked.

He was unsure if the crack was from the impact of the tree, which he indicated was a very low impact, or if it was pre-existing damage prior to him being issued the car after line up. He stated that unfortunately he was unable to fully inspect the outside of the car prior to leaving for his beat. However, he wanted to make sure that the vehicle's damage, rather from the accident or not, was properly reported and documented while in possession.

Patrol Officer Louis Decrescenzo was not injured. There is a small crack to the rear bumper right side. There was no apparent damage to the tree.

I informed Sergeant Turney (Car 9) about the incident and she instructed me to do a PR-1 Report. As of Wednesday January 28, 2015 I initiated an accident report under Case #15-003894.

On Thursday 29, 2015, I was informed by Captain J. Johnson to complete a disciplinary write up for Patrol Officer Louis Decrescenzo regarding the *At-Fault* accident. At the tour of duty on Thursday 29, 2015, I spoke face-to-face with Officer Decrescenzo to inform him that I would be completing a disciplinary write up for his accident involving Car 85 on Wednesday January 28, 2015 at 1545 hours.

OFFICER'S VERSION OF VIOLATION:

Patrol Officer Louis Decrescenzo stated that while backing Car 85 from its parking space he inadvertently back into a tree. The tree is located in the middle of the sidewalk on S. Orange Street near W. Water Street. Car 85 was parked on the sidewalk of S. Orange Street near the On-Ramp. He continued to a MVA call in District 8. While on that call, he noticed that the rear bumper to Car 85 was cracked.

He was unsure if the crack was from the impact of the tree, which he indicated was a very low impact, or if it was pre-existing damage prior to him being issued the car after line up. He stated that unfortunately he was unable to fully inspect the outside of the car prior to leaving for his beat.

He did state that the car was parked in a very difficult location that created a challenge for him to maneuver out of the space. He stated that the car was parked on a sidewalk and that was not its proper location. Also that the sidewalk was covered with snow and ice.

WITNESS' VERSION (INCLUDE NAME, ADDRESS & TELEPHONE):

None.

CORROBORATION (VERIFICATION OF OFFICER'S VERSION):

The PR-1 Report indicates damage to vehicle and officer sighted for being "at-fault" for the accident.

REPORTING OFFICER'S EVALUATION OF OFFICER ON REPORT:

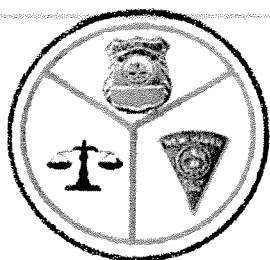
I am not Patrol Officer Louis Decrescenzo's regular supervisor he is assigned to District 9. However, I am his supervisor on B-Squad. Since he has been an officer as New Haven Police Department, I have known him to be a hard worker, dedicated, and a person of compassion and integrity. I did realize his fault in failing to inspect his vehicle prior to taking operating it (before the accident). However, I know that he was enthusiastic in responding to the motor vehicle accident.

COMMANDING OFFICER'S EVALUATION OF OFFICER ON REPORT:

IF THERE ARE ANY ATTACHMENTS, PLEASE LIST (i.e. radio car log, memorandum, motor vehicle accident report, ect.):

- PR-1 Form attached under Case #15-003894
- Email Transmission Re: Car 85 Accident Report Case #15-003894 (1/28/15)

SUBMITTED BY: Shirley J. Allen **RANK:** Sergeant **DATE:** 2/6/15



Dean Esserman
Chief of Police

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
One Union Avenue • New Haven • Connecticut • 06519



Toni N. Harp
Mayor

EFFECTIVE DATE SEPTEMBER 23, 2015

PERSONNEL MEMORANDUM
OFFICER LOUIS DECRESCENZO

On September 23, 2015 Officer DeCrescenzo met with the Chief regarding two incidents the first: on January 28, 2015 Officer Louis Decrescenzo was assigned to Beat 831m and was involved in a motor vehicle accident. While moving his vehicle from its parking space he inadvertently backed into a tree. Officer Decrescenzo was not injured. However, later on he noticed that the rear bumper of Car 85 was cracked. He did not know if this crack was a result of his backing into a tree or if it was pre-existing damage prior to him being assigned to Car 85. Therefore, he was found at fault for the incident and in violation of:

General Order 87-5. *Personnel are reminded that safety is a primary concern to the City and the Department. To this end, personnel shall drive defensively, obey all traffic laws and extend courtesy to others using our streets and highways.*

The second incident occurred in February of 2015, Officer Decrescenzo was hired for an extra duty assignment at Saint Rose of Lima Church and arrived fifteen minutes late. The assignment was for one officer to be posted at the entrance door, and one officer to patrol the inside and outside of the church. Father Manship stated that when he went looking of the two officers he found them in a car driving on a nearby street. He told them once again that he wanted one officer at the front and one officer at the rear door. Once again he could not locate them, and found them sitting together in their car. He reported their attitude was defensive and told him that they would not split up. Both officers said they were in their car taking their lunch, and that they had made numerous patrols through the establishment together due to the amount of people.

Based on the events of the evening Officer Decrescenzo was found in violation of the following:
General Order 83-1: Extra duty work, Section B-3, - *Officer will report in person to the work site at the prescribed time.*

General Order 83-1, Section B-5: *When two officers are assigned to the same assignment their lunch periods will be staggered. A four (4) hours job does not get a lunch period.*

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Rule 15-1: *All employees of the department must be punctual in their attendance.*


Rule 15-39: *No employee of the department shall commit any act contrary to good order and discipline or constituting neglect of duty.*

Rule 15-42: *No employee of the department shall engage in any act which would constitute conduct unbecoming an officer.*

Officer Decrescenzo was given a verbal reprimand for the motor vehicle accident. He was also given a written reprimand for the extra duty incident.

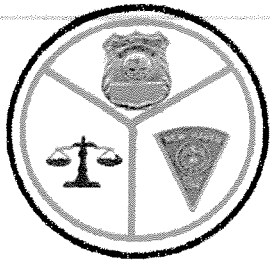
PER ORDER OF:

DO NOT READ OR POST



DEAN ESSERMAN
CHIEF OF POLICE

cc: Chair, Board of Police Commissioners, President Elm City Local, Labor Relations,
Internal Affairs, Assistant Chief Luiz Casanova, Management Services, File



Dean Esserman
Chief of Police

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
One Union Avenue • New Haven • Connecticut • 06519



Toni N. Harp
Mayor

EFFECTIVE DATE SEPTEMBER 23, 2015

PERSONNEL MEMORANDUM
OFFICER LOUIS DECRESCENZO

On September 23, 2015 Officer DeCrescenzo met with the Chief regarding two incidents the first: on January 28, 2015 Officer Louis Decrescenzo was assigned to Beat 831m and was involved in a motor vehicle accident. While moving his vehicle from its parking space he inadvertently backed into a tree. Officer Decrescenzo was not injured. However, later on he noticed that the rear bumper of Car 85 was cracked. He did not know if this crack was a result of his backing into a tree or if it was pre-existing damage prior to him being assigned to Car 85. Therefore, he was found at fault for the incident and in violation of:

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The second incident occurred in February of 2015, Officer Decrescenzo was hired for an extra duty assignment at Saint Rose of Lima Church and arrived fifteen minutes late. The assignment was for one officer to be posted at the entrance door, and one officer to patrol the inside and outside of the church. Father Manship stated that when he went looking of the two officers he found them in a car driving on a nearby street. He told them once again that he wanted one officer at the front and one officer at the rear door. Once again he could not locate them, and found them sitting together in their car. He reported their attitude was defensive and told him that they would not split up. Both officers said they were in their car taking their lunch, and that they had made numerous patrols through the establishment together due to the amount of people.

Based on the events of the evening Officer Decrescenzo was found in violation of the following:
General Order 83-1: Extra duty work, Section B-3, - *Officer will report in person to the work site at the prescribed time.*

General Order 83-1, Section B-5: *When two officers are assigned to the same assignment their lunch periods will be staggered. A four (4) hours job does not get a lunch period.*

Dedicated to Protecting Our Community

phone (203) 946-6333 fax (203) 946-7294 website www.cityofnewhaven.com/police

Rule 15-1: *All employees of the department must be punctual in their attendance.*

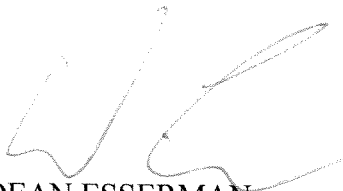
Rule 15-39: *No employee of the department shall commit any act contrary to good order and discipline or constituting neglect of duty.*

Rule 15-42: *No employee of the department shall engage in any act which would constitute conduct unbecoming an officer.*

Officer Decrescenzo was given a verbal reprimand for the motor vehicle accident. He was also given a written reprimand for the extra duty incident.

PER ORDER OF:

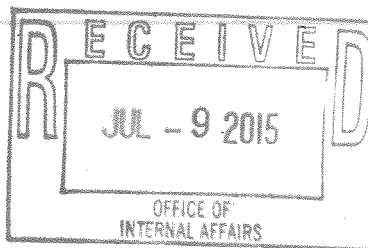
DO NOT READ OR POST

A handwritten signature in dark ink, appearing to read 'DEAN ESSERMAN', written over a horizontal line.

DEAN ESSERMAN
CHIEF OF POLICE

cc: Chair, Board of Police Commissioners, President Elm City Local, Labor Relations,
Internal Affairs, Assistant Chief Luiz Casanova, Management Services, File

Civilian Complaint Form
Informe De Querella Civil



DEPARTMENT OF POLICE SERVICE

1 Union Avenue • New Haven, Connecticut 06519

Complaint No. / Querella No.

15-031057

Please deliver in person or mail completed form to INTERNAL AFFAIRS at the above address. Please retain the second copy for your records. Use the number in the upper right hand corner for references. Forms received by mail will be acknowledged in writing within 7 days of receipt. *Favor de entregar este formulario al cuartel en persona, o de enviara a: INTERNAL AFFAIRS, Department of Police Service a la direccion mencionada arriba. Favor de retener la segunda copia para su uso personal. Se puede referir al numero en la esquina. Cuando lo envie por correo, se le notificara por escrito dentro de sietro de siete dias.*

Date & Time Reported Hora y fecha de informe 7-9-15 - 1:25pm		Date & Time of Incident Hora y fecha de querella 7-7-15		Location of Incident / Hora y fecha de informe Dover Street New Haven	
Complainant's Last Name Apellido del querelante Morrison/Davis		First Name Nombre Elizabeth		Age Edad	
Mailing Address Direccion Postal 180 Peck St		Apt./ Floor Apt./ piso 1st Floor		Day phone / Tel idia 475-201-4101	
Evening phone / Tel/noche same		Employers Name Nombre de su empleado N/A		Address Direccion N/A	
Occupation Ocupacion N/A		Day Phone/ Evening Phone Tel/dia/Tel/noche N/A			
Witness's Last Name Apellido de tesigo(s) Elizabeth		First Name Nombre Morrison/Davis		Age Edad	
Mailing Address/Apt./Floor Direccion Postal /Apt./piso 180 Peck St		Day Phone/ Evening Phone Tel/dia/Tel/noche 475-201-4101			

Time & Date of Occurrence / Hora y fecha de incidente 7-7-15 After 5pm	Location Lugar Dover Street New Haven
---------------------------------------------------------------------------	------------------------------------------

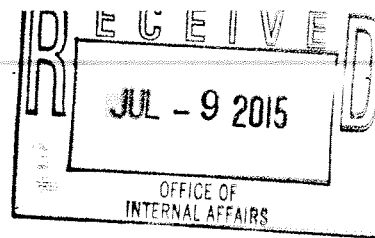
Name of Police Department Member (s) involved - If unknown, provide description Nombre del poicials - Si lo desconoce, provea descripcion	Shield No. Num de placa	Division Division
Officer Criscuolo	#38	Patrol
Officer Decresceno	#303	Patrol

Nature of Complaint / Tipo de querella		
<input checked="" type="checkbox"/> Excessive Force / Uso de fuerza excesiva	<input type="checkbox"/> Theft by Officer / Robo por un policia(s)	<input type="checkbox"/> Arrest / Aresto
<input type="checkbox"/> Hate or Bias / Incidente basado en odio a perjuicio	<input type="checkbox"/> Search of Person / Registro de su persona	<input type="checkbox"/> Verbal Abuse / Abuso verbal
<input type="checkbox"/> Search of Property / Registro de su propiedad	<input type="checkbox"/> Detention / Detención	<input type="checkbox"/> Other Complaint / Otro tipo de querella
<input type="checkbox"/> Property Lost by Officer / Propiedad perdida por policia(s)	<input type="checkbox"/> Sexual Harassment / Persecución Sexual	

Details of Complaint (use reverse side of page if more space is required) Provea los detalles de su querella (Si necesitas mas espacio usa la reversa de esta aplicacion)		

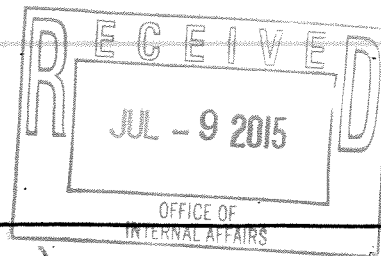
Complainant's Signature / Firma del querelante Elmer Morrison	Date / Fecha 7-7-15	Police Office Receiving Complaint Form / Personal Policia Recviedo informacion
------------------------------------------------------------------	------------------------	--------------------------------------------------------------------------------

Civilian Complaint Form
Informe De Querella Civil



on July 4th 2015 MY Husband Brandbaby & I
was driving down Atwater St When We Notice
a police Cruiser Making a U turn to Come
back toward us with lights Flashing We
pulled over on Dover St before the Cruiser (Police)
Gotten over to us. When they ^{Walked} ~~Parked~~ up
to us I ask if it was okay for MY
Granddaughter & I to Get out of the
Car the police Response was YES ^{before getting out} MY
husband was trying to hand Me His
Cell phone when the officer Asked him
what was he Reaching For he Said I'm
Reaching for MY Cell phone they told him
to get out of the Car & he Said how
Come I'm Not doing Anything wrong ^{while getting} ~~I~~ ^{out of} car
was Just trying to go to the Beach
with MY wife & Daughter then they Grab
him ~~three~~ ^{threw} him up against the Car, then
Kneed him In the torso, then Grab
his dreads Slamed him to the Ground
and Started punching him In Face Multiple
times. Then hand Cuffed him they tazed
him Numerous times while In hand Cuffs

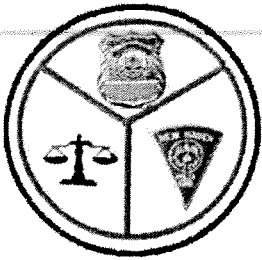
Civilian Complaint Form
Informe De Querella Civil



they did not Remove tazer until paramedics came he was un Responsive & was making a gurgling sound AS if he couldn't Breathe.

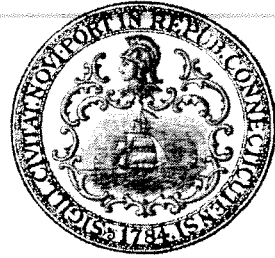
I Don't Think that was fair to Make MY Granddaughter watch the whole thing unfold and now she's traumatized by the whole event that took place they lied & said he swung but they didn't Give him a Chance to Move an arm Seeing that had already had him Down. And out of Respect he wouldn't have Run knowing I have Medical Issues Anxiety and of course they would have held me & ask me his whereabouts.

I Want Justice for MY husband Seeing that he's a Young black man with all the police Brutality Going on Something must be done.



*Dean M. Esserman
Chief of Police*

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs Unit
One Union Avenue • New Haven • Connecticut • 06519



*Toni N. Harp
Mayor*

December 18, 2015

Officer Louis Decrenscenzo
One Union Avenue
New Haven, CT 06519

Officer Decrenscenzo,

On July 9, 2015, Ms. Elizabeth Morrison filed a Civilian Complaint, IA# 032-15-C, against you alleging excessive force. The incident occurred on July 7, 2015.

The complaint was investigated and has been closed with the disposition of the officer's actions deemed as **UNFOUNDED/EXONERATED** - the investigation determined by a preponderance of the evidence that the alleged misconduct did not occur AND the officers engaged in no misconduct because the act was lawful, justified and proper.

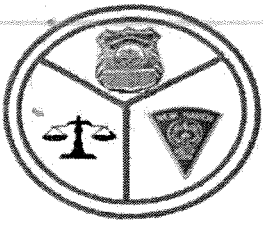
If you have any questions or concerns, I can be reached at (203) 946-6249.

Respectfully,

Detective Lynn Meekins

Dedicated to Protecting Our Community

phone (203) 946-6249 fax (203) 946-5445 website www.cityofnewhaven.com/police



Dean M. Esserman
Chief of Police

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs Unit

One Union Avenue • New Haven • Connecticut • 06519



Toni N. Harp
Mayor

To: Lieutenant Rachael Cain
From: Detective Lynn Meekins
Date: December 18, 2015

Internal Affairs Case
032-15-C

Complainant: Mr. Ricardo Davis
Date of Incident: July 7, 2015
Allegations: Excessive Force
Subject Officers: Officer Louis Decrenszenzo and Michael Criscuolo

Summary

On 7/9/15, complainant Ms. Elizabeth Morrison filed a Civilian Complaint with the Office of Internal Affairs for an incident that occurred involving her husband Mr. Ricardo Davis, Officer Louis Decrenszenzo and partner Officer Michael Criscuolo. Ms. Morrison filed the complaint on the behalf of her husband.

According to the written complaint, on 7/7/15, Mr. Davis, Ms. Morrison and her 9-year-old granddaughter where in their vehicle, enroute to West Haven Beach when New Haven police officers initiated a motor vehicle stop in the vicinity of Dover and Atwater Street, New Haven. During the police encounter, Ms. Morrison alleged an officer threw Mr. Davis against the car, kneed him in the torso, slammed him to the ground by his dreads and punched him to the face multiple times. Once handcuffed, she alleged her husband was tased, unresponsive and making gurgling sounds as if he couldn't breathe. Ms. Morrison claimed the officers used excessive force.

On 7/9/15, Sgt. C. Maldonado conducted a neighborhood canvass in the area of 174 Dover Street for possible video surveillance footage but to no avail.

On 7/10/15, I spoke with Ms. Morrison via phone. She stated that she will consult with her attorney before providing a formal statement. In a subsequent telephone call Ms. Morrison stated she does not wish to meet; however, her husband requested to speak with the assigned investigator.

Statement by Ricardo Davis

On 8/20/15, I obtained a recorded statement by complainant Mr. Ricardo Davis (DOB 6/24/80), inmate of Whalley Correctional Facility located at 245 Whalley Avenue, New Haven. Davis completed a False Statement Form.

According to Davis, on 7/7/15, he was driving to West Haven Beach with front seat passenger and girlfriend Elizabeth Morrison and her 9-year-old granddaughter (Jasmine) when police officers initiated a motor vehicle stop in the area of Dover and Atwater Street. In the written complaint, Officers Decrenscenzo and Criscuolo were named as the officers that conducted the motor vehicle investigation. In the recorded statement, Davis did not refer to the officers by name but by the officer's actions which was corroborated by the investigating officer's police report. In the statement, Davis stated he pulled over to the side of the road on Dover Street, placed the car keys on top of the roof and awaited for officers to approach his vehicle.

Decrenscenzo approached the driver side window and explained he was stopped due to having only one license plate displayed. Davis announced aloud that he was retrieving his ID from his pocket; in doing so, Davis' cellphone and ID fell out of his front right pocket of his shorts at the same time. Decrenscenzo told Davis he was being fidgety and ordered him out the vehicle.

Davis exited the vehicle with the phone and ID in hand, facing the vehicle. Decrenscenzo ordered Davis to spread his hands on top of the vehicle and proceeded to pat him down. The pat down led to the discovery of cocaine and marijuana in a cigarette box located in the same right front pocket of Davis' shorts. When the drugs were found, Davis claimed Decrenscenzo grabbed and slammed his head on the roof of the car. Davis recalled his girlfriend and the granddaughter tried to exit the vehicle but was ordered by the second officer to remain inside of the vehicle; his girlfriend told the officer that she wasn't staying in the car.

Davis stated he then pushed off the car which forced Decrenscenzo to back off of him. Davis stated he "snatched away" and "broke free" from Decrenscenzo's grip. One of the officers grabbed onto Davis' shirt and dreadlocks Decrenscenzo repeatedly yelled, stop resisting, as they struggled on the ground. Davis denied that he was being noncompliant. Davis claimed he tried to free himself from Decrenscenzo's grip and stop Decrenscenzo from hitting him. Davis stated that the second officer (Criscuolo) tried to help his partner and yelled for Decrenscenzo to use his taser. Decrenscenzo deployed his taser. Davis explained he felt the current through his body one time, it stopped and his body went numb. Davis stated, "It's real now, so I'm just going to stop". While on the ground, they handcuffed him with his hands behind his back. Davis removed the probes from his back by pulling them out of his skin and bragged about how the Taser "really didn't do nothing to me".

During the statement, Davis was inconsistent with his account of when he was actually handcuffed. A different version is after Davis exited the vehicle and patted down by Decrenscenzo. The contents of the cigarette box was discovered and Decrenscenzo

handcuffed one hand. Davis claimed he stepped back into Decrenscenzo. Decrenscenzo ordered him to stop resisting and grabbed him. A struggle ensued to the ground. Davis explained that he tried to stop Decrenscenzo from fighting him when the other officer grabbed Davis and stretched him out by his arms. Davis broke loose but one of the officers grabbed him by the shirt, the other officer grabbed his other hand and handcuffed him. Davis snatched away from the officer, that's when an officer yelled tase him. Davis was tased and he claimed he went numb. He remained on the ground until the ambulance arrived. Davis claimed he felt dizzy and "felt passed out" however, he heard police and paramedics tell the spectators who gathered on scene to stop video recording. The next thing Davis recalled was his arrival to Yale New Haven Hospital.

Davis stated additional officers finally arrived on scene after the incident was over. They were arguing amongst themselves because they were dispatched to an incorrect address and responded there.

According to Yale New Haven Hospital medical records, Davis' diagnosis was facial contusion and abrasions to left arm and knees.

Statement by Officer Louis Decrenscenzo

On 10/19/15, I met with Officer Louis Decrenscenzo in the Office of Internal Affairs. Officer Decrenscenzo signed a False Statement and an Internal Investigation Form at which time I obtained an audio recorded statement. Union representatives Craig Miller and David Guliuzza were present during interview.

According to Officer Decrenscenzo, on 7/7, he and his partner Officer Michael Crisculo were assigned to work Crime Suppression (motor vehicle enforcement). While on patrol, a Chevrolet Corsica drove past them without a front license plate. Decrenscenzo made a U-turn, activated the overhead lights to his patrol vehicle and initiated a motor vehicle stop. As the Corsica pulled over, the front seat passenger and rear seat child passenger quickly exited the vehicle as if the driver was going to drive off.

As Decrenscenzo approached the vehicle from the driver side he noticed the driver, Ricardo Davis, reaching in something, possibly shoving an unknown object into his right front pant pocket. Decrenscenzo told him to stop. When asked what he put in his pocket, Davis nervously answered, just cigarettes. Decrenscenzo asked Davis to step out of the car, Davis did. Decrenscenzo asked Davis a second time what did he put in his pocket not knowing if it was a weapon or drugs he was hiding. Davis responded, a box of cigarettes, as he held his pocket. Decrenscenzo stood behind Davis as Davis faced the vehicle. Decrenscenzo tried to move Davis' hand but Davis continued to clutch onto the item. Decrenscenzo conducted a pat down and removed an object from Davis' pocket; a cigarette box containing what appeared to be a bag filled with crack. Once the drugs were discovered, Davis immediately pushed off of the car, knocking Decrenscenzo off balance. Davis tried to turn and run. Decrenscenzo caught Davis by his dreadlocks and issued commands to stop resisting throughout the entire

encounter. They fell to the ground. Davis was on top of Decrenscenzo, facing each other. Davis tried to escape by pushing off of Decrenscenzo's chest. Decrenscenzo stated he held onto Davis' hair to prevent him from running away as he punched Davis approximately four to five times (to the left eye). Davis continued to try to break free of Decrenscenzo's grip. Criscuolo ran around the car and tried to pull Davis off of Decrenscenzo. One of them announced over the police radio that they were fighting with a subject. Decrenscenzo regained his footing, stood up and tased Davis one, 5-second cycle, striking his lower back. Davis went down. Decrenscenzo dropped the Taser, he and his partner handcuffed Davis. Decrenscenzo recalled Davis screaming and flailing the entire time while handcuffed prior to the arrival of the ambulance.

According to Decrenscenzo, upon approaching the vehicle, immediately exited via the passenger door and stood outside. The next time he recalled dealing with the passengers was when they searched for the roaming passengers. Officers were sent several times to locate the passengers of the vehicle in the crowd that gathered on-scene. Once located, the front seat passenger asked if they could go home. A supervisor that arrived on-scene, cleared the passengers to leave with their perishable goods from the vehicle.

According to Decrenscenzo, he notified a supervisor, requested medical assistance for Davis as well as completed a Use of Force Notification Form. Once paramedics were on scene, Davis claimed he was epileptic and started mimicking seizure episodes on the stretcher yet was still able to answer questions asked by paramedics. Decrenscenzo denied tasing Davis while handcuffed or slamming Davis' head on the roof of the vehicle as alleged. He explained Davis was on top of him when he punched Davis several times and that is how Davis received a cut above the left eye. While Davis was on top on Decrenscenzo, Decrenscenzo recalled Davis' blood got on him and his badge.

Regarding the functionality of Decrenscenzo's taser, he was asked if he had knowledge of how to delete/alter activity history of the Taser. Decrenscenzo stated he does not but mentioned common errors messages on his device and steps taken to clear the messages (i.e.: remove the battery, clean the heads and then reinsert the battery). He explained that due to the department's main computer designated for downloading being corrupt, the Taser units haven't been downloaded for an unspecified, extended period of time and doesn't know the last time his unit was synced. Decrenscenzo mentioned Sgt. Rose Turney, program overseer was aware of the issue along with Information Technician (IT) staff.

Statement by Sergeant Rose Turney

On 11/4/15, I met with Sergeant Rose Turney in the Office of Internal Affairs. Sergeant Turney signed a False Statement Form and an Internal Investigation Form at which time I obtained an audio recorded statement. Union representative David Guiluzza was present during the interview.

According to Sgt. Turney, while enroute to the call, she remembered hearing officers struggling to transmit over the police radio that they were in a fight and needed assistance. She believed one of the assistant chiefs transmitted by radio to have Dispatch clarify the location of the officers. Prior to her arrival on scene, Decrescenzo had already notified dispatch of a Taser deployment, requested medical and notified as required by departmental policy. Upon her arrival to the scene, she observed a subject sitting on the ground, handcuffed and very vocal. He was yelling and moving around a lot. She tried to calm the subject but he continued to yell and appeared to become increasingly irate. Sgt. Turney stated she observed the subject enter the ambulance at which time he appeared to be alert, conscious and unhappy.

According to Sgt. Turney, the procedure after a Taser deployment is for the Taser to be downloaded. The Taser was not downloaded on that day because of program viruses with the desktop computer utilized for Taser downloads. She mentioned that TASER, EVIDENCE.COM nor our Information Technician (IT) Specialist were able to immediately correct the problem. The system hasn't been fully functional for approximately a span of one year. She recalled Decrescenzo had informed her of a malfunctions with his Taser and was issued a replacement possibly 1-2 years ago. She referred to a memo from Salgado that compiled a list of Tasers deemed not suitable to be used. Decrescenzo was issued a Taser include on that list.

Statement by Officer Michael Criscuolo

On 11/4/15, I met with Officer Michael Criscuolo in the Office of Internal Affairs. Officer Criscuolo signed a False Statement Form and an Internal Investigation Form at which time I obtained an audio recorded statement. Union representative Craig Miller was present during the interview.

According to Criscuolo, he and Officer Decrescenzo were partners the evening of July 7th. They conducted a motor vehicle stop on a vehicle they observed with no front license plate. They approached the vehicle, the female passenger exited the vehicle and removed the granddaughter from the backseat and started walking away. Criscuolo ran behind them and stopped them from leaving the scene. He recalled the female appeared to be kind and understanding and she asked why they were stopped. As he answered her question, his partner yelled his name. Criscuolo turned around to see the driver on top of his partner, fighting. Criscuolo stated he jumped on the driver but couldn't get the driver off of Decrescenzo. The driver's hands were on Decrescenzo's chest and gunbelt. Decrescenzo started punching the driver. Criscuolo grabbed the driver after he pushed off of Decrescenzo's chest and stood up. Decrescenzo yelled "Taser", Criscuolo pushed the driver to the side. Decrescenzo deployed his Taser, the driver was hit and fell to the ground. Criscuolo stated the driver continued to resist as they struggled to handcuff him. The driver was placed under arrest. The driver was treated on scene for Taser deployment and transported to Yale New Haven Hospital where Criscuolo guarded the driver/arrestee.

Additional Officers

Decrenscenzo informed dispatch that they were involved in a fight and needed additional officers. **Officers Lizmarie Almedina, Eduardo Leonardo, Jeton Ejupi and Sean Sullivan** were among the many officers that responded to the scene but were not witnesses to the arrest which was corroborated by Davis' statement. When spoken to, the officers stated that they initially responded to an incorrect address given by dispatch. When they finally arrived to the correct address, Decrenscenzo had already placed the subject under arrest and handcuffed.

American Medical Response (AMR) Report

Documented under Case #12219532. According to AMR records, AMR arrived on scene for a patient that had been tased. Upon inspection, the prongs were already removed. The patient had minor abrasions on arms due to scuffle with police. According to the report, while paramedics were talking with police, patient who was awake and alert, standing with police fell to ground. Patient appeared unconscious but when applied light sternal rub, patient opened eyes and yelled at paramedic. When asked, what was wrong, the patient was awake, alert and aware of what was going on and refused to answer questions. Patient was put on oxygen due to complaint of difficulty breathing. Patient reported history of asthma. Vitals were checked and both lungs were clear. Patient was transported to Yale New Haven Hospital.

Upon patient's arrival and examination at Yale New Haven Hospital, records reflect that the patient denied experiencing shortness of breath, chest or abdominal pain. Davis' diagnosis was facial contusion and was discharged to police.

Finding of Facts

On 7/20/15, TASER X26 Serial #X00-372491 was seized from Decrenscenzo by Lieutenant Rachael Cain of the Internal Affairs Unit. The unit was returned shortly thereafter per Assistant Chief Louis Casanova to Decrenscenzo to use for the remainder of his shift with the instruction of turning the taser in at the end of his shift to a unit supervisor and stored in the IA locker.

On 7/21, Lt. Cain retrieved the unit from the locker and spark tested the unit. IT specialist Glen Oliwa downloaded the unit's activity history. The history covered dates beginning in March 2008 through January 2013 with a last sync date in December 2011. After January 2013, the next activity on history log is January 2000 and reflected continued activity to April 2002. After April 2002, the date again reset to January 2000. The next date was 7/21/15, the day the unit was spark tested. The unit was permanently removed from circulation and returned to the IA locker.

In a memo to Assistant Chief L. Casanova authored by Sgt. Rose Turney dated 10/6/2013, records reflect Decrenscenzo had Taser serial #254516. According to instructor Salgado's records, Decrenscenzo was issued Taser serial #372491 on or about 12/13/13 and has been a certified Taser X26 Electronic Control Device User since November 2011.

According to representatives from Taser, the Taser unit's firing log data cannot be manipulated, altered, changed or erased from date; however, there have been instances where the internal clock of the device will reset itself if not synced at least quarterly or is without a power source (battery) for an extended period of time. The internal clock will reset itself to a default start date of either January 2000 or December 1999 and counts up from that point. If the battery was not seated properly, this could cause the memory to become scrambled. In the newer version of the TX26, this issue has been corrected.

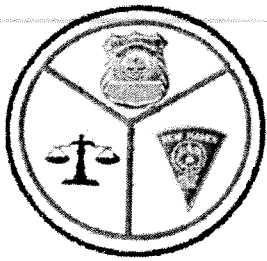
On 8/10/15, I informally met with New Haven Police Training Instructor Officer Jason Salgado in the Internal Affairs Unit of the New Haven Police Department regarding Taser Model: X26, Serial #X00-372491. In memo addressed to Sgt. Rose Turney from Instructor Salgado, dated 10/3/13 pertaining to Taser Inventory, Salgado included serial numbers of Tasers that he and Instructor Robert Strickland had performed diagnostic checks on. Serial #372491 was on this list. There were Tasers included in the list considered not suitable to be issued due to deficiencies (would not turn on/off or fire) while others were deemed suitable and were assigned to officers. On a separate list, Unit #372491 was one of the units listed as damaged (bad contacts).

According to Ms. Morrison written complaint Ms. Morrison alleged Davis was thrown against the car, kneed to the torso, slammed him to the ground by his dreads and punched him to the face multiple times by an officer. In Davis' recorded statement, Davis did not make the same allegations that Morrison included in the written complaint. Davis admitted that he fought and "tussled" with the officers and attempted to evade from being detained. In Davis' recorded statement it was after he was tased one time that he decided to surrender to the officers and claimed that he was unaffected by being tased. Davis explained he was handcuffed with his hands behind his back while on the ground yet alert and coherent enough to remove the probes from his back after being tased in comparison to Ms. Morrison's written account that alleged the officers of tased Davis multiple times while handcuffed and was unresponsive, making sounds as if he couldn't breathe.

According to the department's Use of Force Policy, it allows for sworn officers to use reasonable use of force necessary to overcome the resistance by an offender to: effect an arrest, prevent an escape from custody and defend him/herself from imminent use of physical force by an offender the officer is trying to control.

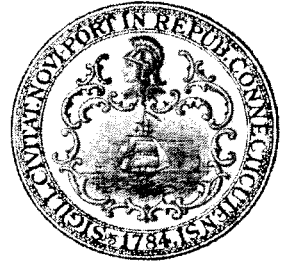
In regards to claims of EXCESSIVE FORCE: Based on this investigation and statements obtained, the claim of excessive force by Officer Louis Decrenszenzo and Officer Michael Criscuolo is **UNFOUNDED/EXONERATED** – *The investigation determined by a preponderance of the evidence that the misconduct complained of, did not occur and the officers engaged in no misconduct because the act was lawful, justified and proper.*

Through this investigation, we found the Taser system had been malfunctioning; IT and Commander of Patrol, Captain Julie Johnson has since corrected the issue.



*Dean Esserman
Chief of Police*

**NEW HAVEN
DEPARTMENT OF POLICE SERVICE**
Internal Values and Ethics
One Union Avenue • New Haven • Connecticut • 06519



*Toni N. Harp
Mayor*

October 12, 2015

To: Officer Louis Decrescenzo

**From: Detective Lynn Meekins
Internal Affairs**

Re: IA#032-15-C

The Office of Internal Affairs has received a complaint alleging **excessive force** was used during an incident on July 7, 2015 in which you were the primary officer. This case is documented under case number 15-31057.

You are hereby ordered to report to the Office of Internal Affairs on **October 19, 2015 at 3:15 p.m.** with or without Union representation. Failure to report is a violation of Rule 15, Section 45, of the New Haven Police Department General Orders.

It is your responsibility to notify this investigator if you are going to be late, unable to make the appointment or if this appointment has been schedule during your off-duty hours. Please call (203) 946-6249 with any questions.

Thank you in advance for your cooperation.

Per Order of:

Lt. R. Cain

*Lieutenant Rachael Cain
OIC-Internal Values and Ethics Unit*

Det. L. Meekins

*Detective Lynn Meekins
Internal Values and Ethics Unit*

CC: Craig Miller - Police Union President, Elm City Local
File

Dedicated to Protecting Our Community

Tel: (203) 946-6249 • Fax: (203) 946-5445 • cityofnewhaven.com/police

New Haven Police Department
USE OF FORCE NOTIFICATION

Type of Force Used:

☐ O.C. ☐ Baton ☒ Taser ☐ Bean Bag ☐ Other: _____

Date: 7/7/15 Time of Occurrence: 1630 CR#: 15-31057
Location: 172 DOVER ST.
Officers Involved: L. DeCrescenzo M. Ceisucolo

Suspect: RICARDO DAVIS Highest Booking Charge: Poss. Narcotics ☐ Felony ☐ Misdemeanor
Age: 35 ☒ Male ☐ Female Hgt: 69" Wgt: _____ Under the Influence? ☐ Yes ☐ No What: UNKNOWN
Clothing Description: white shorts white shirt
What was the original call/circumstance of the contact? motor vehicle stop

Specifically describe the threat or danger that prompted the use of force: DAVIS WAS CONCEALING DRUGS AND ATTEMPTED TO FLEE FROM OFFICERS. A STRUGGLE ENSUED AND DAVIS WAS IN CLOSE CONTACT WITH MY WEAPONS
INJURIES:

☐ None ☐ Complaint of Pain Only ☒ Visible Injuries ☐ Dart Removal Only Describe Injuries: laceration to left eye & dart removal

MEDICAL TREATMENT:

☐ First Aid/Eye Flush ☐ Sutures ☐ Yes ☐ No X-Rays? ☐ Yes ☐ No Treated by: AMR

LOCATION of TREATMENT:

☒ YNHH ☐ St. Raphael's ☐ On-Scene ☐ Other _____ Hospitalization ☐ Yes ☐ No

BOOKING:

Released for Booking ☐ Yes ☒ No ☐ N H P D ☐ New Haven Correctional Ctr. ☐ Other: _____

If O.C. was used, approximate distance discharged: N/A How many bursts? N/A
Was the first burst effective? ☐ Yes ☐ No N/A

1. If Baton was used, where was the suspect struck? 2. How many times? 3. The results of each strike and commensurate injuries (if any):

N/A

If a Taser was used, was more than one cartridge discharged? ☐ Yes ☒ No How many? 1 Effective? ☒ Yes ☐ No
Drive Stun ☐ Yes ☒ No How many times? N/A Effective? ☐ Yes ☒ No

Cartridge# C4101/A7H Darts Penetrate Skin? ☒ Yes ☐ No # of Darts: ☐ 1 ☒ 2 Distance Fired: 3' Spread: 20"

Cartridge# _____ Darts Penetrate Skin? ☐ Yes ☐ No # of Darts: ☐ 1 ☐ 2 Distance Fired: _____ Spread: _____

Cartridge# _____ Darts Penetrate Skin? ☐ Yes ☐ No # of Darts: ☐ 1 ☐ 2 Distance Fired: _____ Spread: _____

Taser Serial No. X00-372491 Any operational defects, or need to further inspect the Taser? ☐ Yes ☒ No

Did the Taser immobilize the suspect? ☒ Yes ☐ No Did the Taser bring the suspect to the ground? ☒ Yes ☐ No

Was Taser equipped with video cam? ☐ Yes ☒ No

Bean Bag Used: # of Shots: N/A Distance: N/A Weapon No. N/A Effective? ☐ Yes ☐ No

Other Physical Force Utilized: punches to left eye / brow area

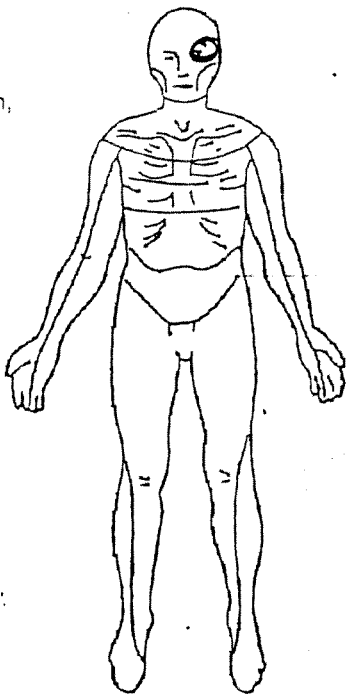
PHOTOGRAPHS:

Were Photographs taken of the injuries? ☐ Yes ☐ No If YES How many? _____ Date Taken: _____

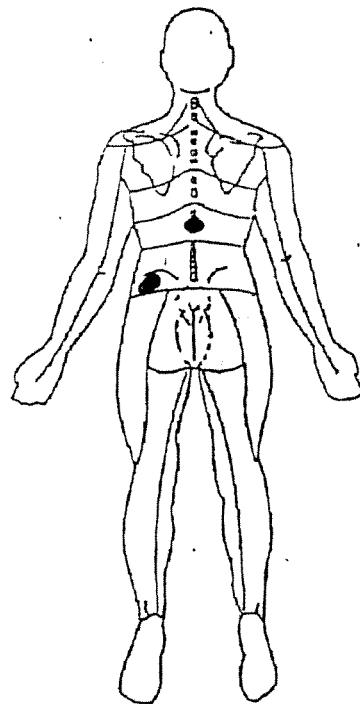
Give a basic description of what is being depicted in the photographs: N/A

Location of:

Strikes / Taser Darts /
Bean Bag Strikes / Etc.
(place "X" on diagram
at approx. location. If
more than one application,
place number next to "X"
indicating order of hit.)



FRONT



BACK

Witnesses (Officers and Civilians): L. DECRESCENZO, M. Criscuolo

Name of Person Preparing this Notification: L. DECRESCENZO ID No. 27905 Date: 7/7/15

To be completed by Reviewing Supervisor:

Date you were notified of Use of Force: 7-7-15 Time Notified: 1635 hr. By: Ofc. Decrescenzo

Did you personally see the suspect? ☒ Yes ☐ No Based upon information available at the time of this report, does it appear that policy and procedure was followed? ☒ Yes ☐ No (If NO explain on separate Memorandum)

Supervisors Signature: R. Turney Sgt. Date: 7-8-15

To be completed by On-Duty Shift Commander:

Date you were notified of Use of Force: 7-7-15 Time Notified: 1640 By: Sgt Turney

Based upon information available at the time of this report, does it appear that policy and procedure was followed?
☒ Yes ☐ No (If NO explain on separate Memorandum)

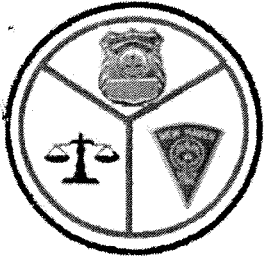
Shift Commanders Signature: LT Walker Date: _____

Reviewed By Patrol Captain

Date

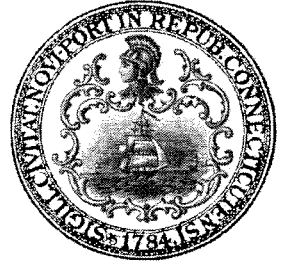
Reviewed by Asst. Chief of Police

Date



**NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs**

One Union Avenue • New Haven • Connecticut • 06519



Dean M. Esserman
Chief of Police

Toni N. Harp
Mayor

To: Lieutenant Rachael Cain
From: Sergeant Carlos Maldonado
Date: July 9, 2015
RE: Internal Affairs Case: 035-15-C

Complainant: Elizabeth Morrison
Subject Officer(s): Officer Louis Decrescenzo, Officer Michael Criscuolo

Summary

On July 9, 2015, the Officer in Charge of the Internal Affairs Unit, Lieutenant Rachael Cain, assigned me to conduct a neighborhood canvass in the area of 174 Dover Street for possible video surveillance footage. This was in regards to a complaint against Officer L. Decrescenzo and Officer M. Criscuolo for an arrest made on July 7, 2015. The following is the result of the canvass:

- 160/162 Dover Street - There was no answer at the door.
- 164 Dover Street – The resident was not home at the time of the incident.
- 168/170 Dover Street - There was no answer at the door.
- 172 Dover Street – The first floor resident was not home at the time of the incident. No one answered on the second floor.
- 175 Dover Street - There was no answer at the door.
- 176 Dover Street – The second floor residents stated they did not witness or know about the incident. No one answered on the third floor.
- 178 Dover Street - The first floor resident stated she did not see anything. I spoke to Linda Torres who stated she had been visiting her mother-in-law. She went outside and saw the operator of a vehicle trying to run away from police. One officer, who Torres described as a white male, dark hair and stocky build, used a Taser on the operator. The Taser prongs struck the operator on his back. Torres stated she saw the police officer punch the operator on the back of the head. Torres went inside the

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home and by the time she returned outside an ambulance was on scene. Torres did not want to provide a recorded statement.

- 180 Dover Street – The resident stated he and his wife were not home at the time of the incident.
- 181 Dover Street - There was no answer at the door.
- 182 Dover Street – There was no answer at the door.
- 183 Dover Street – Jeanette Vargas stated she was not home at the time of the incident. Kathia Villhermoso stated she only saw police after the incident was over.
- 184/186 Dover Street - There was no answer at the door.
- 185 Dover Street – The first floor resident was not home at the time of the incident. No one answered on the second floor.
- 190 Dover Street - There was no answer at the door.
- 192 Dover Street – The resident stated he was not home at the time of the incident.
- 194 Dover Street - There was no answer at the door. There was a video surveillance sign on the window, but I did not observe any cameras.

The canvass had negative results for any video surveillance in the area.

Lt. Racheal Cain

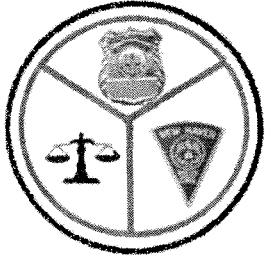
Lieutenant Racheal Cain
OIC-Internal Affairs Unit

Sgt. Carlos Maldonado

Sergeant Carlos Maldonado
Internal Affairs Unit

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Anthony Campbell
Interim Chief of Police

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
Internal Affairs

One Union Avenue • New Haven • Connecticut • 06519



Toni Harp
Mayor

To: Captain Anthony Duff
From: Sergeant Carlos Maldonado
Date: March 20, 2017
RE: Internal Affairs Case: 070-16-C

Complainant: Eric Jones
Date of Incident: December 4, 2016
Allegations: Illegal Search
Subject Officer(s): Officer Louis DeCrescenzo, Officer Frank Grillo, Officer Donald White

Summary

On December 5, 2016, Eric Jones filed a complaint with the Internal Affairs Unit for an incident that occurred on December 4, 2016. The complaint was against Officer Louis DeCrescenzo who is assigned badge number 303. The case number for the incident is 16-61624. On January 18, 2017, Jones filed a second complaint for an incident that occurred on January 16, 2017. He did not identify the officers and claimed it was only a verbal interaction with officers operating police cruiser 184-NH. On February 1, 2017, Jones filed a third complaint in regards to an incident that occurred on January 31, 2017. The complaint was against badge number 144 which is assigned to Officer Matthew Borges and badge number 488 which is assigned to Officer Donald White. It was later determined that Officer Frank Grillo, badge number 69, was involved and not Officer Borges. The case number for the incident is 17-5587.

Complaint #1

On December 5, 2016, Eric Jones filed a complaint with the Internal Affairs Unit for an incident that occurred on December 4, 2016 on Ferry Street and Lombard Street. According to the complaint, an officer with badge #303 (Officer L. DeCrescenzo) and partners pulled Jones over at 8:25 p.m. for a traffic violation. Jones stated this is the third time this officer and others have stopped him for a traffic violation and have not issued a ticket. They violated his rights by searching his vehicle with no probable cause. Jones stated he told the officers they could not search his vehicle but they did so anyway. He was told the dog would not be used to search because it would mess up his nice car. They told him he would be

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arrested for interfering if they were not allowed to do so. Jones stated he told the officers they are blackmailing him because he is on probation.

Telestaff Roster/Audio Log Complaint #1

According to the telestaff roster for December 4, 2016, Officers Louis DeCrescenzo and Frank Grillo were assigned to Crime Suppression Unit 831M from 3:00 p.m. – 11:00 p.m. I accessed the audio log and listened to the recorded radio transmission pertaining to this incident. The one radio transmission is as follows:

8:27:09 p.m. – Unit 831M (L. DeCrescenzo) notifies dispatch that they will be out with CT 4APKP1 in front of 579 Ferry Street. Officer DeCrescenzo immediately calls K9-4 (Officer M. Feliciano). K9-4 (Officer M. Feliciano) acknowledges.

Report

I attempted to review the police report under case number 16-61624. A field contact form and a traffic stop statistic form were the only forms assigned to this case number. Officer Grillo's name appears on both forms. Neither form had the vehicle information nor any information detailing the officer's actions in the remark/notes section. The field contact form had suspicious activity as the reason for the stop. The traffic statistic form had window tints as the charge and a verbal warning as the disposition. The vehicle searched box, indicating the vehicle had been searched, was checked off and the letter "C" (Consent) was chosen as the authority for search.

Complaint #2

On January 18, 2017, Jones filed a second complaint for an incident that occurred on January 16, 2017 between 7:20 p.m. – 7:30 p.m. at the corner of Ferry Street and Peck Street. He did not identify the officers and claimed it was only a verbal interaction with officers operating police cruiser 184-NH. According to the complaint, Jones was parked at the corner waiting for his girlfriend to come out of the corner store. He had his baby in the back seat.

Two officers pulled up next to his vehicle blocking the driver side door and activated the police cruiser's lights. Jones asked the officers what the problem was. One officer stated "We are about to bother you because you are parked where there is a no standing zone sign posted." The other officer saw the baby in the back seat and stated "No we are not going to bother you because you have a baby in the back seat." Jones believed the officers had no right to pull up to the driver side door and activate the police cruiser's lights because he had done nothing wrong. **There is no case number or documentation for this incident.**

Complaint #3

On February 1, 2017, Jones filed a third complaint for an incident that occurred on January 31, 2017 between 8:20 p.m. – 8:40 p.m. at the corner of Ferry Street and Peck Street. . According to the complaint, he was stopped by two officers as he was pulling away from a

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no standing zone. Jones identified the officers only by their badge numbers which were 488 and 144. Badge number 488 is assigned to Officer Donald White and 144 is assigned to Officer Matthew Borges. The officers asked Jones for consent to search the vehicle. He claimed the officers searched the vehicle regardless of the fact that he did not give consent. When nothing was found, the officers entered their police cruiser and left. Jones stated that the officer was very respectful and he did not get a ticket, but he is tired of being harassed, being pulled out of his vehicle and having it searched for no reason.

Report

I attempted to review the police report under case number 17-5587. A field contact form was the only form assigned to this case number. Officer D. White's name appears on the form. The form had no vehicle information nor any information detailing the officer's actions in the remark/notes section. The field contact form had operator of suspect vehicle as the reason for the stop. A traffic stop statistic form was not completed.

Telestaff Roster/Audio Log Complaint #3

According to the telestaff roster for January 31, 2017, Officers Donald White and Frank Grillo were assigned to Unit 844M. Officer White was scheduled to work from 4:00 p.m. – 2:00 a.m. and Officer Grillo from 4:00 p.m. to 1:30 a.m. I accessed the audio log and listened to the recorded radio transmissions pertaining to this incident. The radio transmissions are as follows:

8:28:03 p.m. – 844M (D. White/F. Grillo) notify dispatch that they will be out at Peck Street /Ferry Street with a signal 12 (suspicious auto) Ct registration 4APKP1.

8:29:17 p.m. – IS6 (Records Division) is contacted and a warrant check is conducted on Eric Jones DOB 8/18/92.

8:33:57 p.m. – IS6 contacts 844M (D. White/F. Grillo) and informs them that the warrant check is negative but that Jones is a file 17 (supervised person). 844M asks for the probation officer's name.

8:40:58 p.m. – 844M (D. White/F. Grillo) inform dispatch they are at Lombard Street/Main Street with Ct registration AC28146.

8:46:25 p.m. – 844M (D. White/F. Grillo) call S-31(Sergeant Wilfredo Cruz) and tell him that his presence is required at Lombard Street/Main Street.

Eric Jones

On February 2, 2017 at 10:21 a.m., Sergeant J. Weted and I met with Eric Jones in the Internal Affairs Office at 1 Union Avenue for an audio recorded interview. Jones read and signed a false statement form. Jones stated, among other things, the following:

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On December 4, 2016, he turned onto Ferry Street from Lombard Street and was pulled over by police. The officer, whose badge number is 303 (DeCrescenzo), told him he was being stopped for having tinted windows that were too dark. The officer asked if he could search the vehicle. When Jones told him that he could not search the vehicle, the officer had him step out. The officer told him that they will just wait for the dog, but he did not want the dog to “snatch” his nice car. Jones stated he told the officer “do what you want to do.” Jones did not recall a K-9 unit arriving on scene. The officer went ahead and searched the vehicle. When nothing was found, the officer told Jones to get back in the car. Jones asked if he was getting a ticket so that he wouldn’t feel as if he was being harassed for no reason. The officer told him he was all set. Jones stated the same officer stopped him in July of 2016 for no reason, but Jones did not file a complaint than.

On January 16, 2017, he was parked at the corner of Ferry Street and Peck Street. He was waiting for his girlfriend to come out of the corner store. His step daughter was in the back seat. Two officers, who he could not identify, pulled up next to his vehicle blocking the driver side door and activated the police cruiser’s lights. The officers were operating police cruiser 184-NH. One officer stated “you are parked in a no standing zone.” The officer who was driving stepped out of the vehicle. When the officer stepped out and saw his step daughter, the officer stated “we’ll let you go just move the car up.” Nothing else was said and the officers drove off. Jones stated he was upset because his step daughter was in the vehicle and scared.

On January 31, 2017, Jones was again parked at the corner of Ferry Street and Peck Street. He was stopped by two officers as he was pulling away from a no standing zone. Jones identified the officers only by their badge numbers which were 488 and 144. Badge number 488 is assigned to Officer Donald White and 144 is assigned to Officer Matthew Borges. The officers asked Jones for consent to search the vehicle. He claimed the officer with badge number 488, who he identified as Officer Grillo, searched the vehicle regardless of the fact that he did not give consent. Jones stated he was not sure of the badge numbers, but was sure of the name. When nothing was found, the officers entered their police cruiser and left. Jones stated that the officer was very respectful and he did not get a ticket, but he is tired of being harassed, being pulled out of his vehicle and having it searched for no reason.

Officer Louis DeCrescenzo

On February 10, 2017 at approximately 3:03 p.m., Sergeant Weted and I met with Officer Louis DeCrescenzo in the Internal Affairs Office at 1 Union Avenue for an audio recorded interview. Present for the interview was Elm City Local Union Representative Sergeant David Guliuzza. Officer DeCrescenzo signed an Internal Administrative Investigation Form “Garrity Form” as well as a false statement form. He was allowed to read the complaint filed by Eric Jones in regards to December 4, 2017.

Officer DeCrescenzo stated, among other things, the following: On December 4, 2016, he and Officer Grillo pulled Eric Jones over because of tinted windows on his vehicle. The car smelled like marijuana so Jones was asked to step out of the vehicle. Officer DeCrescenzo could not recall if Jones gave consent to have his vehicle searched. Officer DeCrescenzo

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stated Jones was not handcuffed, threatened, coerced or manipulated. He believed Officer Grillo searched the vehicle and no contraband was found. Jones was given a verbal warning for the tinted windows violation.

I asked if a K-9 unit responded to the scene or if one had been called for. Officer DeCrescenzo stated no to both and that he was positive. When I told Officer DeCrescenzo that I listened to the audio log and he had immediately called K9-4 upon notifying dispatch of the stop, he stated he could not remember. Officer DeCrescenzo stated it is common for him to call a K-9 unit even for tinted windows because a lot of times, he and the officers search a vehicle.

Officer Frank Grillo

On February 10, 2017 at approximately 3:50 p.m., Sergeant Weted and I met with Officer Frank Grillo in the Internal Affairs Office at 1 Union Avenue for an audio recorded interview. Present for the interview was Elm City Local Union Representative Sergeant David Guliuzza. Officer Grillo signed an Internal Administrative Investigation Form "Garrity Form" as well as a false statement form. He was allowed to read the complaints filed by Eric Jones.

Officer Grillo stated, among other things, the following: On December 4, 2016, he and Officer DeCrescenzo were assigned to unit 831, a crime suppression unit out of Fair Haven. Officer Grillo could not recall the incident with Eric Jones on said date, but stated he would not threaten anyone with arrest for not consenting to a search of their vehicle. Officer Grillo viewed the field contact form and traffic statistic form he completed. He stated it was typical for him to issue a verbal warning for tinted windows. The field contact form had suspicious activity as the reason for the stop. Officer Grillo could not recall the incident, but acknowledged the contradiction.

When asked about immediately requesting a K-9 unit, Officer Grillo stated it was not uncommon to call for the K-9 unit as backup or in anticipation of a search of the vehicle. He acknowledged that on the traffic statistic form he checked off that the vehicle had been searched and consent was chosen as the authority for search. Officer Grillo stated he would never unlawfully enter a motor vehicle. Since he had no recollection of the stop, he could not say if he or Officer DeCrescenzo conducted the search of the vehicle.

Officer Grillo stated that an incident report should have been completed or at minimum, documenting their actions in the notes section of the field contact form. During the field training officer program, traffic stops were conducted in which vehicles were searched and incident reports were not completed. He stated he now understands that a search of the vehicle has to be documented. Lately, officers have also been told in line-up to complete the remarks/notes section on the field contact form.

Officer Grillo stated he recalled the incident from January 31, 2017, involving Eric Jones. He was working with Officer Donald White. Eric Jones was parked on Peck Street near Ferry Street in a no standing zone. Officer Grillo did not recall having previously dealt with

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Jones and did not recognize the vehicle. As they pulled up, Jones made a furtive movement as if placing something down. Officer Grillo stated he was given consent by Jones to search the vehicle. Officer Grillo located lotto tickets in the area where Jones had reached. Jones was issued a verbal warning for improper parking. The field contact form was completed by Officer White. Officer Grillo stated that because of the discussion during the interview, he will now do things differently.

Officer Martin Feliciano

On March 7, 2017 at approximately 3:13 p.m., Sergeant M. Colon and I met with Officer Martin Feliciano in the Internal Affairs Office at 1 Union Avenue for an audio recorded interview. Present for the interview was Elm City Local Union Representative Sergeant David Guliuzza. Officer Feliciano signed an Internal Administrative Investigation Form "Garrity Form" as well as a false statement form. He was allowed to read the complaint filed by Eric Jones in regards to December 4, 2016.

Officer Feliciano stated, among other things, the following: His call number is K9-4, but he did not recall the motor vehicle stop on said date. I informed him that Officer DeCrescenzo called him immediately after notifying dispatch of the stop. Officer Feliciano stated that depending on the officer, it is common practice for him to be called directly and immediately for a motor vehicle stop. One of those officers is Officer DeCrescenzo. Officer Feliciano only submits documentation if the canine is utilized at a motor vehicle stop. There is no documentation for this incident.

Officer Donald White

On March 7, 2017 at approximately 4:08 p.m., Sergeant M. Colon and I met with Officer Donald White in the Internal Affairs Office at 1 Union Avenue for an audio recorded interview. Present for the interview was Elm City Local Union Representative Sergeant David Guliuzza. Officer White signed an Internal Administrative Investigation Form "Garrity Form" as well as a false statement form. He was allowed to read the complaint filed by Eric Jones in regards to January 31, 2017.

Officer White stated, among other things, the following: On said date he and Officer Grillo were assigned to unit 844M. He remembered Eric Jones but vaguely recalled the incident. Officer White stated the violation was being parked in a no parking zone. Officer Grillo was driving while he operated the computer. Officer Grillo obtained Jones' identification and Officer White went back to the police cruiser to check for arrest warrants.

Officer White stated the vehicle was searched but could not recall the reason for the search or who performed it. He stated that almost every time he stops a car, even for a parking violation, he will ask if there are any drugs, guns, dead bodies, grenades he needs to know about. If consent is given, he will search the vehicle. He and Officer Grillo have never searched a vehicle without consent.

On the field contact form, the reason for the stop was noted as operator of suspect vehicle. Officer White stated he always notes that as the reason. He acknowledged that there are options such as "other" that may be used and since talking to Sergeant Dominguez, he has been more deliberate in choosing. Prior to speaking with Sergeant Dominguez, he had omitted information from the forms such as the vehicle information. This was allowed during the field training program.

Officer White stated that a traffic statistic form was not completed because what they had was a "parked suspicious vehicle" and not a moving violation. It was his understanding that the form did not need to be completed unless it was a moving violation. He considers the vehicle "suspicious" if it is not moving. When asked to explain a suspicious vehicle as opposed to a parking violation, Officer White stated "a signal 12 (suspicious vehicle) is a signal 12."

Finding of Facts

From December 5, 2016 to February 1, 2017, Eric Jones filed three complaints with the Internal Affairs Unit for incidents that occurred on December 4, 2016, January 16, 2017 and January 31, 2017. The initial complaint involved Officer Louis DeCrescenzo and Officer Frank Grillo. The second complaint, which Jones did not want to pursue, involved unknown officers. The third complaint involved Officer Grillo and Officer Donald White. Jones complained of being continuously stopped for motor vehicle violations, having his vehicle searched without consent and never receiving a ticket for the violations.

The reason given by Officers Grillo and DeCrescenzo for the motor vehicle stop on December 4, 2016 was that Jones' vehicle had dark tinted windows. During the audio recorded interview, Officer Grillo could not recall the incident but acknowledged said reason on the traffic statistic form. The field contact form had the reason as being suspicious activity. The vehicle searched box, indicating the vehicle had been searched, was checked off and the letter "C" (Consent) was chosen as the authority for search. Officer Grillo stated it was typical for him to issue a verbal warning for tinted windows and he would never unlawfully enter a motor vehicle. Since he had no recollection of the stop, he could not provide a reason for the search or say if he or Officer DeCrescenzo conducted the search of the vehicle.

Officer DeCrescenzo stated Jones was stopped because of tinted windows on his vehicle. The car smelled like marijuana so Jones was asked to step out of the vehicle. He believed Officer Grillo searched the vehicle and no contraband was found. Other than Officer DeCrescenzo's statement, there is no mention of the smell of marijuana inside the vehicle. Officer DeCrescenzo could not recall if Jones gave consent to have his vehicle searched. When asked if a K-9 unit had been called for, Officer DeCrescenzo stated he was positive the K-9 unit was not called. Audio log had him immediately calling K9-4 upon notifying dispatch of the stop. Officer DeCrescenzo stated it is common for him to call a K-9 unit even for tinted windows because a lot of times, he and the officers search a vehicle.

Officer Grillo could not recall the incident, Officer DeCrescenzo believed Officer Grillo searched the vehicle and Eric Jones stated Officer DeCrescenzo was the officer who searched his vehicle.

Police have the burden of proving that consent was voluntarily given and not the result of duress or coercion. The nature of the consent should be documented and whenever possible performed with a written consent form. The reason/note section of the field contact form and the traffic statistic form were omitted. Eric Jones claims the search of his vehicle was conducted without probable cause or consent. Officer DeCrescenzo's statement that the vehicle smelled like marijuana and therefore would have served as probable cause, was not documented on a police report or corroborated by Officer Grillo.

Therefore, in regards to the search of the vehicle, I believe Officer DeCrescenzo and Officer Grillo violated **Rules of Conduct Section 1.2** which states the following: Police officers shall not knowingly disobey the laws or rules in such areas as interrogation, arrest, detention, **searches** and seizures, use of informants and preservation of evidence.

Officer Grillo is also found to be in violation of **General Order 76-3 Subsection 4** which states the following: Reports, when completed, shall accurately reflect the information concerning the episode and shall indicate specifically what actions were taken by each involved police officer.

Officer Grillo acknowledged during and after the interview that an incident report should have been completed or at minimum, their actions documented in the notes section of the field contact form. During the field training officer program, traffic stops were conducted in which vehicles were searched and incident reports were not completed. He stated he now understands that a search of the vehicle has to be documented. Lately, officers have also been told in line-up to complete the remarks/notes section on the field contact form.

In the past, I have counseled Officer DeCrescenzo regarding similar incidents.

In regards to the incident from January 31, 2017, Officer Grillo and Officer White acknowledge that Jones was stopped for a parking violation. Officer Grillo claimed Jones consented to a search of the vehicle after Jones made a furtive movement as they approached. The furtive movement is not documented on any report. Officer White stated the vehicle was searched but could not recall the reason for the search or who performed it. He stated that almost every time he stops a car, even for a parking violation, he will ask if there are any drugs, guns, dead bodies, grenades he needs to know about. If consent is given, he will search the vehicle.

On the field contact form, the reason for the stop was noted as operator of suspect vehicle. Officer White stated he always notes that as the reason. He acknowledged that there are options such as "other" that may be used and since talking to Sergeant Dominguez, he has been more deliberate in choosing. Prior to speaking with Sergeant Dominguez, he had omitted information from the forms such as the vehicle information. This was allowed during the field training program.

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Officer White stated that a traffic statistic form was not completed because what they had was a “parked suspicious vehicle” and not a moving violation. It was his understanding that the form did not need to be completed unless it was a moving violation. He considers the vehicle “suspicious” if it is not moving. When asked to explain a suspicious vehicle as opposed to a parking violation, Officer White stated “a signal 12 (suspicious vehicle) is a signal 12.”

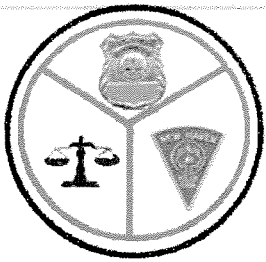
Once again, police have the burden of proving that consent was voluntarily given and not the result of duress or coercion. The nature of the consent should be documented and whenever possible performed with a written consent form. The reason/note section of the field contact form was omitted and a traffic statistic form was not completed. Eric Jones claims the search of his vehicle was conducted without probable cause or consent.

Therefore, in regards to the search of the vehicle, I believe Officer Grillo and Officer White violated **Rules of Conduct Section 1.2** which states the following: Police officers shall not knowingly disobey the laws or rules in such areas as interrogation, arrest, detention, **searches** and seizures, use of informants and preservation of evidence.

Officer White is also found to be in violation of **General Order 76-3 Subsection 4** which states the following: Reports, when completed, shall accurately reflect the information concerning the episode and shall indicate specifically what actions were taken by each involved police officer.

Captain Anthony Duff
Captain Anthony Duff
OIC-Internal Affairs Unit

Sgt. Carlos Maldonado
Sergeant Carlos Maldonado
Internal Affairs Unit



Anthony Campbell
Chief of Police

NEW HAVEN
DEPARTMENT OF POLICE SERVICE
One Union Avenue • New Haven • Connecticut • 06519



Toni N. Harp
Mayor

EFFECTIVE DATE JUNE 26, 2017
PERSONNEL MEMORANDUM
OFFICER LOUIS DECRESCENZO
PATROL

From December 5, 2016 to February 1, 2017 three separate civilian complaints were filed by the same complainant which occurred within a two month period. The initial complaint involved Officer Louis DeCrescenzo, and involved a motor vehicle stop. The field contact form had the reason for the stop as being suspicious activity. The vehicle searched box, indicating the vehicle had been searched, was checked off, and the "C" (Consent) was chosen as the authority for the search. Officer L. Decrescenzo's partner had no recollection of the stop, and could not provide a reason for the search, or say if he or Officer DeCrescenzo conducted the search of the vehicle.

Officer DeCrescenzo stated the vehicle was stopped because of dark tinted windows. The vehicle smelled like marijuana so the occupant was asked to step out of the vehicle. He believed a fellow officer searched the vehicle, and no contraband was found. Other than Officer DeCrescenzo's statement, there is no mention of the smell of marijuana inside the vehicle. He could not recall if the operator gave consent to have his vehicle searched. When asked if a K-9 unit had been called for Officer DeCrescenzo stated he was positive the K-9 was not called. Audio log had him immediately calling K9-4 upon notifying dispatch of the stop. Officer DeCrescenzo stated it is common for him to call a K-9 unit even for tinted windows because a lot of times he and fellow officers search a vehicle.

Police have the burden of proving that consent was voluntarily given and not the result of duress or coercion. The nature of the consent should be documented and whoever possible performed with a written consent form. The reason/note section of the field contact form and the traffic statistic form were omitted. Officer DeCrescenzo's statement that the vehicle smelled like marijuana and therefore would have served as probable cause, was not documented on a police report or corroborated.

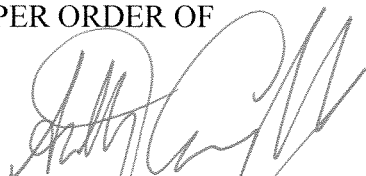
Regarding the search of the motor vehicle Officer L. DeCrescenzo was found to have violated **General Order 1.03, Rules of Conduct, Section 1.2**, "*Police officers shall not knowingly disobey the law or rules in such areas as interrogation, arrest, detention, searches and seizures, use of informants, and preservation of evidence.*"

Officer DeCrescenzo was given a written letter, and additional training.

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phone (203) 946-6333 fax (203) 946-7294 website www.cityofnewhaven.com/police

PER ORDER OF

A handwritten signature in black ink, appearing to read 'Anthony Campbell', written over the printed name.

ANTHONY CAMPBELL
CHIEF OF POLICE

Cc: Chair, Board of Police Commissioners, President Elm City Local, Labor Relations,
Internal Affairs, Assistant Chief Otoniel Reyes, Management Services, File