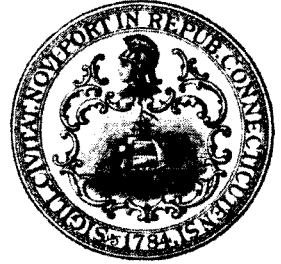


*Dean Esserman
Chief of Police*

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



*Toni N. Harp
Mayor*

To: Sergeant Jason Minardi
From: Sergeant Rose J. Dell
Date: December 8th, 2014
RE: Internal Affairs Case: 086-14-I

Complainant: Chief of Police, Dean Esserman
Date of Incident: October 2nd, 2014
Allegations: Conduct Unbecoming
Subject Officer: Lieutenant Patricia Helliger

Summary

On October 2nd, 2014 at 7:20 pm, Sergeant Jason Minardi, Officer in Charge of Internal Affairs, notified me by telephone of an incident which involved Lieutenant Patricia Helliger. Lt. Helliger was off-duty and pulled into the parking lot of Walmart on Foxon Boulevard in her department issued cruiser. She had a breach in the parking lot with other patrons over a parking space. Sgt. Turney viewed video surveillance footage and saw an altercation in the parking lot during which time Lt. Helliger slapped a phone out of a male subject's hands. Sgt. Minardi asked that I respond with him to the scene to speak briefly with all parties involved and to view the video surveillance. I arrived at around 8:15 pm and viewed the surveillance video with Assistant Chief Vazquez, Lieutenant Harkins and Sergeant Minardi in the Loss Prevention Office of Walmart. I then spoke with Chad Grant and Bianca Grant, the parties involved in the breach, and scheduled appointments for interviews. Both parties indicated that they wanted to file a complaint with the Office of Internal Affairs but didn't want to pursue an arrest. Sgt. Minardi and I spoke with Lt. Helliger and asked her if she was ok. Sgt. Minardi said, "You know I care about you. We worked together." She said she was not ok and that she is the victim here and was told she was not going to be arrested. She couldn't believe that the other parties were just being allowed to drive away. Sgt. Minardi reminded her that she has a right to union representation. She agreed and said that she wouldn't be in tomorrow, but we could set up an interview next week. Sgt. Minardi asked her if she needed a ride home, and she said that she was fine and that there was nothing wrong with her.

Video Surveillance

Christina Altieri, Asset Protection Associate for Walmart, provided me with two CDs which contain video surveillance of the incident. One video captures the portion of the parking lot where the incident occurred. The other video captures the interior of the store near the entrance and exit doors. The following is a timeline with a brief description of the events seen in the parking lot video.

- 6:29:54** Cruiser entered camera view and is seen as it turned into a parking lane.
- 6:30:04** The cruiser attempted to pull into a parking space. The vehicle stopped, started and inched into the space until it is fully parked.
- 6:31:56** The vehicle was turned off.
- 6:32:01** Lt. Helliger exited the vehicle.
- 6:32:08** Lt. Helliger began to walk towards the entrance of the store.
- 6:33:28** Lt. Helliger re-entered the camera view after she exited the store. She walked towards her vehicle. A male subject was in the front of her vehicle. He faced her vehicle, and his back was towards Lt. Helliger as she approached.
- 6:33:48** Lt. Helliger and male subject are face-to-face. Lt. Helliger lifted her arms up, but the clarity of the footage is not adequate to determine what occurred at this point in time. A female subject then ran towards Lt. Helliger and pushed her. I cannot determine from the footage whether Lt. Helliger pushed the female subject in return.
- 6:33:55** Lt. Helliger began to walk towards the driver's side of her vehicle.
- 6:35:33** The Dodge exited the parking space.

Radio Transmissions

Lt. Helliger (L16): Can you send me a unit please at Foxon Boulevard, Walmart? I'm seeming to get into a breach with an individual here.

Dispatcher: Car 90 and Car 91 are dispatched.

Car 90: I am right around the corner.

P268: What do you got at Walmart?

Dispatcher: L16 is in a breach.

Lt. Helliger: He's taking a 78. This individual has been accosting me and, um, and actually trying to attempt to assault me. He's now leaving the parking lot. And, um, Connecticut Reg 116 ZXL

Dispatcher: 116 ZXL which way is he headed?

Dispatcher: L16, which way is he headed?

Car 90: L16, what kind of vehicle?

Dispatcher: Comes back to a 08 Dodge Magnum, color gray, registered to a Chad Lee Reginald Grant of 86 Farren Avenue, Unit 4, white male. L16, Did he take a right out of Walmart onto Foxon?

L16: And a right onto Foxon in a gray vehicle.

Car 90: Can I have the license plate again?

Dispatcher: 116 ZXL, 116 ZXL. It goes to 86 Farren Avenue.

L16: Right there. Stopped. (inaudible) Second vehicle. (inaudible) A gray, dark gray vehicle. Second vehicle. Second vehicle.

Car 90: 90 to S43

S43: Come in.

Car 90: If you are not tied up, your presence is just requested.

S43: Roger, just give me a few. I was at 1450 with one of us who got 48ed.

Car 90: Roger.

Car 91: I am out here as well. I have one in the back of the car.

Dispatcher: Roger.

Oral Statements

Bianca Grant (DOB 8-19-83)

On October 3rd, 2014, I interviewed Bianca Grant at the Office of Internal Affairs. She signed a false witness statement and participated in a voluntary, taped interview. I placed a DVD of the audio file and her transcribed statement in the file.

Ms. Grant explained that on October 2nd, 2014, she was with her brother, Chad Grant, infant daughter and 12 year old niece in the parking lot of Walmart. They loaded their purchases from a shopping cart into their vehicle. The shopping cart was next to their car but also took up space in the parking space next to theirs. A female (later identified as Lt. Helliger of the New Haven Police Department) tried to pull her vehicle into the parking space next to their vehicle but could not because of the shopping cart. Lt. Helliger then asked if they could move the cart. They said they were packing up the car and asked if she could give them a second. She described Lt. Helliger's attitude as polite. Lt. Helliger then began to inch her car into the space. Again, they told her that they were packing up the car and asked her why she was inching up the car? She was going to hit the cart with her car if she continued to pull into the space. Lt. Helliger then identified herself as a police officer and said that when she asked them to do something, she expected them to do it. They told her that does not give her the right to inch into the space when they are trying to pack up the car. Again, Lt. Helliger said that she was a police officer, and she expected them to do what she asked. An argument ensued where all the parties involved cursed at each other. Lt. Helliger finished parking and left to go into the store. Bianca's brother then said that he was going to take a picture of Lt. Helliger's license plate because, if she is an officer, he wanted to call the cops and tell them what kind of officer she is.

As her brother took a picture of her license plate, Lt. Helliger left the store and walked towards them. She said, "You can take a picture of whatever the hell you want." As she approached him closely, he turned around, with his feet planted firmly on the ground, and tried to take a picture of her face. She said the camera was less than a foot from Lt. Helliger's face. Lt. Helliger then slapped his phone out of his hands and pushed him away. Her brother raised his hand to block her, and then Ms. Grant stepped between them and pushed Lt. Helliger twice. She repeatedly said, "Do not touch my fucking brother." Lt. Helliger raised her hands in a defensive posture and shouted back that they were not allowed to touch her. Ms. Grant said she was protecting her brother and **although Lt. Helliger claimed to be an officer, she was not acting like one**. Bianca said Lt. Helliger acted ridiculous and not as someone in authority should. Lt. Helliger returned to her car and called for back-up. They did not try to block or prevent Lt. Helliger from entering her car. They then left the parking space and saw officers stop another vehicle. Her brother rolled down his window and told the officers that they were probably looking for him. He was then handcuffed and placed in the back of a cruiser.

I asked Ms. Grant to clarify when the conversation became heated. She said that it was after Lt. Helliger identified herself as a cop in a rude tone. They could not understand why she was

a cop and continued to inch her car into the parking space, almost hitting their shopping cart. She said that they reacted to her rude attitude. If she would have been polite, this would not have happened. She said Lt. Helliger shouldn't have been rude in front of her 12 year old niece who was present at the time.

I then asked if Lt. Helliger showed them a badge or any form of identification when she identified herself as a police officer. She said that she did not show them anything and was not in uniform. I asked Ms. Grant if she believed that Lt. Helliger was a cop. She at first said, "maybe and not really" but then said that she did, because she was in a police type car with lights and didn't believe that a woman of her age would lie about this. I asked her why she pushed Lt. Helliger, and she said because she touched her brother. Lt. Helliger "took it physical." I then asked her why she pushed Lt. Helliger even after she identified herself as a police officer. She said, "It should make a difference that she is a cop, and I should have that type of respect." She then justified her actions and said that Lt. Helliger brought herself down to their level by acting rude and nasty over a parking space. Her being a cop, "went out the window," and she did not see her as a cop anymore. She saw her as just another **nasty person.**

Chad Grant (DOB 4-27-84)

On October 4th, 2014, I interviewed Chad Grant at the Office of Internal Affairs with Detective William Cruz. He signed a false witness statement and participated in a voluntary, taped interview. I placed a DVD of the audio file and his transcribed statement in the file.

Mr. Grant explained that he finished his grocery shopping at Walmart and returned to his car to unpack his cart. He was with his sister, his daughter and his sister's daughter. They had purchased numerous items and were trying to fit everyone and all the items into the car. The doors of the vehicle were opened into the empty parking space next to his vehicle. While he continued to unload his groceries, a car tried to enter this empty parking space. The driver was "nice" at first and asked him if he could please close his door so she could enter the parking space. He told her that he was trying to put his stuff in the vehicle; it would be a minute. She tried to rush him and told him to hurry up. He continued to unload, and she continued to try to pull into the parking space. He told her that there were numerous open parking spaces, and she could find another spot. She said that was fine, but she wanted that spot next to his. She continued to drive into the space until she was fully parked.

She got out of the vehicle and identified herself as a police officer and said to him that he could not take up two parking spaces. She was not wearing a uniform and did not show any form of identification. He then said he was a police officer also and that doesn't mean anything to him. (He explained later in the interview that he is a military police officer in the army reserves). If she is a cop, does that make her feel like she can do whatever she wants to do? She walked away, and he continued to place his purchases in the vehicle.

When he finished unloading his groceries, he took a picture of her license plate. The Lieutenant walked back to her vehicle. She approached him within a couple of feet and said that he could take a picture of whatever he wanted. As he turned around to take a picture of her, she slapped the phone out of his hand. The phone was around 2-3 feet from her face. He doesn't remember whether he pushed back. He did not take a fighting stance or raise his hands with clenched fists (which is consistent with the video surveillance footage). His sister then got in her face and pushed the Lieutenant away. He picked up his phone and tried to turn it back on since it shut off when it fell. He said the phone was not damaged.

Lt. Helliger returned to her vehicle and made some phone calls. Neither he nor his sister tried to block the Lieutenant as she entered the car. He tried to take a picture of her in the vehicle, but it did not come out. He returned to his car, drove off and was then stopped by the police.

I questioned him as to when the conversation became heated. He said when the Lieutenant identified herself as a police officer, he raised his voice a little bit and questioned whether as a police officer she could do whatever she wanted. He described her actions as unprofessional and unnecessary. He specified that her tone was rude, but said that she didn't curse. He didn't believe at first that she was a police officer, but changed his opinion based on her appearance and when she made the phone calls in her car.

When asked what he would like to see as an outcome of this investigation, he said that he didn't want anyone to lose their job but believes the Lieutenant should be disciplined. Since she is a person in a position of authority, she should have a better attitude, especially as a Lieutenant she needs to, "set a better example."

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On October 9th, 2014, Detective Wilfredo Cruz and I interviewed . She is the twelve year old daughter of Chad Grant and was a witness to this incident. I placed a DVD of the audio file and her transcribed statement in the file.

They were putting their groceries in the car and were taking up two parking spaces. A female tried to park in the space where they had their carts. She (Lt. Helliger) rolled down the window and asked if they could move the carts. Her dad said no and told her there were a whole bunch of other parking spaces. The female got out of her car and started to yell at her dad. She said that she was a cop, and they needed to move the carts. Her dad yelled at her and said just because she is cop that doesn't mean she is Jesus. They continued to yell at each other, and then her dad eventually moved the carts. She pulled into the space and walked into Walmart. Her dad started to take a picture of her license plate, and she came back. The female and her dad walked towards each other. She said that he could take a picture of whatever he wanted. While close to her, her dad took a picture, and she slapped his phone and then his face twice. Her aunt jumped in between them and told her not to hit her brother. She could not see if her aunt hit the female. They all stopped yelling and got into their cars. They were then stopped by the police. This incident made her upset and angry, especially since her dad never gets loud and argues with anyone.

Sgt. Sean Maher

On October 7th, 2014, Sergeant Minardi and I conducted a taped interview of Sergeant Sean Maher in the OIC's office of the Internal Affairs Unit. He signed both the False Statement Form and the "Garrity Warnings." Union President, Louis Cavalier, was present as his union official. I placed a DVD of the audio file and his transcribed statement in the file.

I asked Sgt. Maher to explain the procedure used in the records division when a supervisor wanted to take a day off. He explained that there is a calendar in Lt. Helliger's office where they use a color coded system to mark which days a particular records supervisor needs a scheduled day off. Both he and Donna Dinello use this calendar to mark their days off; he was unsure if Lt. Helliger also marks her days off on this. If Lt. Helliger needs a day off, she either calls, texts or e-mails him with this request. Unless an emergency arises, Lt. Helliger informs him a few days before a scheduled day off. She informed him prior to Thursday, October 2nd that she was going to take the day off.

Sgt. Maher prepares an excel spreadsheet for payroll on a weekly basis. When he turned in payroll on Monday, October 6th, 2014, he was unsure which days she had taken off the previous week and did not record any days off for Lt. Helliger. He didn't remember whether he saw her on Thursday, October 2nd, and he was off on Friday, October 3rd. After he turned in payroll, he spoke with her, and she said that she took an "H" day for Thursday and a "V" day for Friday. He went back to payroll and changed the payroll spreadsheet to reflect these days off. He doesn't enter days off into the telestaff system.

Officer Rafael Ramirez

On October 8th, 2014, I conducted a taped interview of Officer Rafael Ramirez in the Inspections Office. Present in the room were Sergeant Minardi, and Union President Louis Cavalier, Jr. He signed both the False Statement Form and the "Garrity Warnings." I placed a DVD of the audio file and his transcribed statement in the file.

On the night of the incident, he worked as the extra duty officer at Walmart located at 315 Foxon Boulevard. He explained that he was on a lunch break at Taco Bell when he heard Lt. Helliger call for assistance at 315 Foxon Boulevard. She said she was accosted by a male subject who was in a gray colored Dodge Magnum that was leaving the parking lot at the Foxon Boulevard exit. She also provided a description of the operator. He immediately drove to Walmart and stopped this vehicle with Officer Parker. The male subject (Chad Grant) was detained in handcuffs while Officer Ramirez conducted his investigation.

Officer Ramirez asked Mr. Grant what had occurred. He said that he was unloading groceries from two carriages he had in the parking space that was next to his vehicle. Lt. Helliger pulled up in her vehicle and asked them to move the carts. He said that he wasn't going to move, and she needed to find another space. She told him she was a cop, and he couldn't take up two spaces. She parked in the space after he moved the carts. They may have exchanged a few words after she parked, and then she walked away and entered Walmart. Mr. Grant said he took pictures of her license plate, and she returned. She asked him what he was doing and slapped the phone out of his hand. His sister and his daughter ran towards the commotion. Besides the phone that was slapped from his hands, he did not describe a physical altercation.

Officer Ramirez then spoke with Lieutenant Helliger. Her description of the first part of the encounter when she parked her vehicle was consistent with that provided by Mr. Grant. She returned to her vehicle after she entered Walmart, because she forgot an item. When Mr. Grant saw her return, he "got up in her face" with a phone. She told him to, "get out of here." Then two other females approached her. Sergeant Minardi and I asked Officer Ramirez numerous times whether he remembered if Lt. Helliger told him she was assaulted. Once during the interview he recalled that she said she was pushed but also stated numerous times that he cannot recall. He did not ask her if she was injured.

He also spoke with the female subject (Bianca Grant). She was positioned between the two vehicles and saw her brother being assaulted by a female. Ms. Grant then ran over to her brother and shoved the Lieutenant away from him.

Sgt. Turney arrived a few minutes later, and he provided her with a brief description of what had occurred. He stayed with Mr. Grant while Sgt. Turney spoke to all the parties involved. He then went into Walmart with Sgt. Turney to watch video surveillance.

Officer David Parker

On October 8th, 2014, I conducted a taped interview with Officer David Parker in the Inspections Office. Present in the room were Sergeant Minardi, and Union President Louis Cavalier, Jr. He signed both the False Statement Form and the "Garrity Warnings." I placed a DVD of the audio file and his transcribed statement in the file.

Officer David Parker responded to the incident as radio car 90. He heard Lt. Helliger on the radio say that she was in a breach and someone tried to hit her. She provided a description and license plate of the vehicle which was leaving the parking lot. He stopped the vehicle with Officer Ramirez. They detained the male subject while they determined what had happened. Lt. Helliger asked Officer Parker to call a supervisor. He called Sgt. Turney and asked her to respond. Lt. Helliger tried to speak with him and explain what had happened, but he directed her to Officer Ramirez since he was conducting the investigation. He was also busy trying to direct the traffic in the parking lot. She told him that she pulled into a parking space and something about a carriage. The male tried to take a picture of her. She asked him not to and reached towards him to stop him. She said that he pushed her, and a female also came at her. She never said that she was injured, and he didn't observe any marks. He did not speak with any of the other parties on scene.

Officer David Totino

On October 11th, 2014, I conducted a taped interview of Officer David Totino in the Inspections Office. He agreed to speak with me without a union representative. He requested that the union accompany him but was told that they had previous engagements. I asked if he was comfortable speaking to me without a union representative and he said, "Yes." He read and signed the False Statement Form and "Garrity Warnings." I placed a DVD of the audio file and his transcribed statement in the file.

Officer Totino responded to the incident as radio car 91. He heard Lt. Helliger on the radio say that she was involved in a breach in a parking lot and someone was trying to assault her. He responded lights and sirens from Quinpiac Avenue and East Grand to the Walmart parking lot and arrived within 3-4 minutes. When he arrived, the Dodge Magnum had been stopped, and he saw a male subject cuffed. He immediately placed this subject in the back of his cruiser. The male said he did nothing wrong and that the video would show this. He said the Lieutenant came at him aggressively and tried to swat at him.

Officer Totino then spoke to Officer Ramirez who gave him a brief description of what had occurred and explained that the male subject was stopped as he tried to leave the lot. Officer Ramirez and Officer Totino then spoke to Lt. Helliger. Lt. Helliger said an argument occurred over a parking space. She asked him to move his cart, and he refused because they were loading groceries into their car. She identified herself as a cop and said she wanted the car moved. He said that didn't matter, and he needed a second, and he would get out of the way.

She went into Walmart but forgot something in her car and came back. She went to her car, and he approached her in an aggressive manner. She said that, "he got in her face," but does not indicate that she was assaulted. Officer Ramirez asked her numerous times if she was ok. She made no claims of injury and did not appear to be injured. Sgt. Turney arrived on scene, and Officer Totino provided her with a brief description of the incident. Sgt. Turney, with both Officer Totino and Officer Ramirez, went inside Walmart to watch the video surveillance in the loss prevention office. Lt. Harkins also watched the video when he arrived later. Officer Totino observed Lieutenant Helliger as she pulled into the parking lot and then tried to inch her way into a parking space. After a few minutes, she parked, but he was unable to see an exchange between Lieutenant Helliger and the other subjects. Lt. Helliger then walked into Walmart, and the male subject came into the camera view and walked to the back of her cruiser. Although the video is not clear, he could tell from his mannerisms that he was taking a picture of her plate.

Lt. Helliger left Walmart and directly approached the male who is at the back of her car and either pushed or swatted at him. He then dropped an item on the ground and leaned over to pick it up. Officer Totino said the Lieutenant made "**a bee line**" towards the male subject and did not see the male subject approach her. Lt. Helliger watched the video with Officer Totino and Officer Ramirez. While she watched the video, she indicated that the male subject approached her. I asked him if he thought the video was inconsistent with

Lt. Helliger's statement. **He said from what he observed in the video, the male subject was not aggressive at all.**

Officer Jason Bandy

On October 11th, 2014, I conducted a taped interview of Officer Jason Bandy in the Inspections Office. I asked him if he choose to have an interview without union representation and he said, "Yes." He read and signed the False Statement Form and "Garrity Warnings." I placed a DVD of the audio file and his transcribed statement in the file.

Officer Bandy responded to the incident as radio car 911. During his shift, he heard Lt. Helliger over the radio state that she was just accosted by a male in the parking lot of Walmart. He was driving a grey Dodge Magnum and was trying to flee the lot. He responded from the other side of the district from Forbes Avenue near the substation. When he arrived, the vehicle had been stopped, and the subject was cuffed and detained in the back of Officer Totino's vehicle. He spoke to the male subject who said he was putting his groceries in his vehicle when a female (Lt. Helliger) pulled up and said she wanted to park in the space next to his. He asked her to wait so that he could put his groceries in the car. She became demanding and said she is a police officer and he needed to move now. He said he didn't care if she was a police officer, and she was going to wait. She didn't want to wait and squeezed her vehicle into the space. Lt. Helliger entered Walmart, and the male subject continued to unload his groceries.

The male subject claimed he didn't like the situation and that the Lieutenant said she was a police officer. He then took a picture of her license plate. She walked out of Walmart and swatted at him. He was unsure if she wanted to hit him or knock the phone out of his hands. The phone was knocked out of his hands and fell to the ground. He tried to pick up the phone and then the two females came out of his car and breached with the Lieutenant. He said that his sister was trying to defend him.

Officer Bandy then went into Walmart to watch the video. He observed Lieutenant Helliger in a white Crown Vic attempt to pull into a parking space. She squeezed into the space and walked into Walmart. A couple seconds later, she came out of Walmart and walked back towards her car where the male subject is standing. **The video clearly showed her swatting at him.** He then bends down and may be picking up his phone. The two females then get out of his vehicle, and they all have a breach.

Officer Bandy never spoke with Lt. Helliger or overheard any conversations between her and other officers.

Sergeant Rose Turney

On October 15th, 2014, I conducted a taped interview of Sergeant Rose Turney in the Inspections Office. Present in the room was Sergeant Minardi, Union President, Louis Cavalier, Jr., and Union Attorney, Marshall Segar. She read and signed the False Statement Form and "Garrity Warnings." I placed a DVD of the audio file and her transcribed statement in the file.

Sergeant Rose Turney responded to the incident as a patrol supervisor. Lt. Helliger identified herself on the radio and said she was involved in a breach with an individual at Walmart and that individual was leaving the scene in a vehicle. Officers started to respond and Lt. Helliger provided a description of the vehicle and the individual. The officers were able to stop the vehicle at the exit before it reached Foxon Boulevard. Officers detained the individual and spoke to all parties involved. Officer Parker requested over the radio that she respond to the scene.

When she arrived, she observed that all the individuals had been separated, and an individual was detained in the back of a cruiser. Officer Totino provided her with a brief description of what had occurred. She then called Lt. Harkins to advise him of the incident. She then spoke with Lt. Helliger and asked if she was ok. She told Lt. Helliger to give her a moment while she went inside to check on the video. Lt. Helliger said she understood. Sgt. Turney then went to the loss prevention office and viewed the video.

After Lt. Harkins arrived, Sgt. Turney spoke to Lt. Helliger who said that she tried to pull into a parking space next to a gray vehicle. A male subject with two females had two shopping carts filled with groceries next to the vehicle. The doors of the car were open, and the carts were over the line which separated the parking spaces. Lt. Helliger opened her window and asked the male subject if he could move the carts. He then asked why. She identified herself as a police officer and said she needed to get into the store quickly. He took offense to the comment and said, "Fuck the police. You think you can do whatever you want." She ignored the comments, because she wanted to avoid a confrontation. She was eventually able to park her car. She got out and entered the store. Once in the store, she remembered items she forgot in the car. She returned towards the car to retrieve those items. The male individual was at the back of her car taking pictures with his cell phone. As she approached the car, he turned towards her and started to take pictures right up in her face. She became uncomfortable and unsure whether he was going to assault her. She pushed him back with two hands. His cell phone fell to the ground, and he took up a fighting stance with clenched fists. She believed he wanted to fight her. The females exited the car and confronted her. They yelled at her, and she put up her hands in a surrender type fashion. They continued to make comments about why she wanted to fight their brother. She continued to say she didn't want anymore problems and then was able to get back in her car. She radioed the dispatcher with a description of what had happened. The other subjects saw her on the radio, continued to put their groceries away and then left quickly. Lt. Helliger never mentioned that she was assaulted or injured and Sgt. Turney observed no visible injuries.

Sgt. Turney spoke with the male subject who said he was with his sister and daughter. They had gone grocery shopping and were trying to figure out how to fit all of the groceries into the car. A female pulled up and said to hurry up and that he couldn't take up two spots. He continued to put his groceries in the car. She got out and said she was a police officer. He said, "Just because you are the police, do you think you can do what you want?" Lt. Helliger said to him that he can't take up two spots in the parking lot. She walked towards Walmart and wasn't in there for long. He walked towards her car to take a picture. His intentions were to file a complaint, because he did not like the way she spoke to him. He took a picture of the back of the police car. She came out and said he could take the pictures. Then with an open hand she smacked the phone out of his hands. His phone fell to the ground. His sister got out of the car and yelled.

Sgt. Turney said the sister's story was consistent with her brother's. They were unloading groceries when the female pulled up and wanted to park in the space. They told her to just give them a second; they were trying to hurry up but had a lot of groceries. The female identified herself several times as a police officer. The sister said, "Just because you are a police officer does that mean you can do whatever you want?" Lt. Helliger said to her, "I am a cop. When I tell you to do something, just do it." Lt. Helliger went into the store and returned a short time later. Her brother was taking a picture at the back of the car with the cell phone. Lt. Helliger then came over to her brother, unprovoked, and slapped the phone out of his hand. She came out of the car and said, "Why do you want to fight with my brother? You can't do that!" She pushed Lt. Helliger out of the way, because Lt. Helliger was in her brother's face, and she didn't want her brother to be assaulted.

Sgt. Turney watched the video and saw Lt. Helliger's vehicle slowly pull into a parking space. She eventually parked and walked into the store. The male walked to the back of the unmarked cruiser. He raised his hands as if he is taking a picture. Lt. Helliger came out of Walmart and walked quickly. The male slightly turned and then Lt. Helliger smacked the phone out of his hands. The phone dropped to the ground. He backed up and does not have clenched fists. He dropped down as if he was picking up a phone on the ground. A couple of people came out from where the gray car was, and there appeared to be a verbal confrontation. She did not observe anyone get pushed or shoved. When asked, **Sgt. Turney said Lt. Helliger's statement is inconsistent from what she viewed in the video.** The male subject did not walk up on her and put himself in her face to take a picture. He only slightly turned his body as if he heard something being said behind him. She then hit his hand holding the cell phone. **Sgt. Minardi asked Sgt. Turney if, based on this video, she would consider Lt. Helliger the aggressor in this incident, and Sgt. Turney responded, "Yes."**

Lieutenant Patricia Helliger

On October 7th, 2014, Lt. Patricia Helliger was scheduled for an interview. She arrived with Union Attorney Marshall Segar, Union President, Louis Cavalier, Jr., and Union Representative, Lloyd Barrett. She read and signed the False Statement Form and "Garrity Warnings." Louis Cavalier immediately raised an objection when I attempted to obtain a taped statement from Lt. Helliger. The meeting was postponed due to time constraints (refer to Sgt. Minardi's memo in the file for more details).

On October 16th, 2014, I conducted a taped interview of Lieutenant Patricia Helliger in the Inspections Office. Present in the room was Sergeant Minardi, Union President, Louis Cavalier, Jr., and Union Attorney Marshall Segar. She read and signed the False Statement Form and "Garrity Warnings." I placed a DVD of the audio file and her transcribed statement in the file.

She explained that a little after 6 pm, she came into a parking space where there was a shopping cart slightly into the space. She asked the male and female if they could move the cart. They ignored her. Again she asked if they could move the cart and they looked at her, but ignored her request. They continued to load groceries into their vehicle. She identified herself as a police officer and asked them to move the cart, because she needed to quickly get into the store. They started with verbal abuse and said, "Fuck the police! You think you can do everything and anything that you want." The cart was slightly moved, and she was able to park. The verbal abuse continued as she walked into the store. A bystander who walked behind her said to ignore them and that the male was an idiot. She entered the store and realized she had a return that she left in the vehicle.

She went back to her vehicle and saw the male subject taking a photo of the back of her car. She said to him that this was ok, and was not a problem. As she walked behind him, he threw his camera into her face and blocked her path to go around to get her to her vehicle. She described him as violent and aggressive. She reached up and pushed the camera out of her face. He then put his hands up in a fist, ready to strike her. He thought about it twice and put his hands down and rushed towards her. She put her hands up and pushed him to take him out of her space. She heard a female voice come out of nowhere and run towards her saying, "You want to fight my brother? You want to fight my brother?" She did not know if this person was armed with a knife or what they intended to do. The female made contact with her, and Lt. Helliger put her hands up and pushed her off while she said she didn't want this and that the situation was ridiculous. Lt. Helliger tried to make her way to the car so that she could call to get some help. She got to her car and called for help over the radio. The subjects rushed back to their vehicle and tried to leave. They drove deep into the parking lot to make it difficult for her to read their license plate. She was able to read the plate, and officers were able to stop the vehicle in the upper parking lot. Officers Ramirez and Parker were the first responding officers. Lt. Helliger instructed them to call a supervisor. At some point, Officer Ramirez told Lt. Helliger that the male subject admitted that he put the phone in her face.

Lt. Helliger said Sergeant Turney asked her for a statement after two and a half hours or more had passed. During this time, Lt. Helliger waited and also finished the errands she needed to do.

On Sunday, 3 days after the incident, Lt. Helliger noticed that her right arm hurt, and she saw a bruise. She notified Lt. Duff and said even though she was unaware of it at the time, she was injured during the incident at Walmart.

I asked Lt. Helliger whether she ever considered that she could go get the extra duty officer inside Walmart or call for a police officer before she returned to her vehicle in order to avoid a conflict? She said there was no conflict with her, and she just passed behind him. She said she had ignored his comments and was not going to attack or get in any conflict with him. He was free to do whatever he wanted. She was just going back to her vehicle to retrieve an item to make an exchange. She did not go back to her vehicle to get in a confrontation. She addressed him and said it was ok if he took a picture. She did not walk up to him but walked past him to get to her vehicle.

Sergeant Minardi asked Lt. Helliger if she identified herself as a police officer in order to take enforcement action? She said she thought they would extend her courtesy and move the cart. I then asked if, in hindsight, she would do anything different and she said, "No."

Finding of Facts

On October 2nd, 2014, at around 6:30 pm, Lieutenant Patricia Helliger pulled into the parking lot of Walmart located at 315 Foxon Boulevard. She was off-duty and drove in her department assigned cruiser. She attempted to pull into a parking space but could not, because a male (Chad Grant) and a female (Bianca Grant) were unloading their groceries into their vehicle and had placed their shopping cart in the empty parking space next to their vehicle. Lieutenant Helliger politely asked the subjects to move their cart. According to the Grants, they responded and asked her to be patient while they finished unloading. Lieutenant Helliger said they ignored her. The Grants continued to unload their groceries, and Lieutenant Helliger slowly inched her vehicle into the space.

At some point during this initial exchange, Lieutenant Helliger identified herself as a police officer. From this point on, her behavior and actions are subject to the standard of conduct expected of all police officers employed by the department. According to her statement, Lieutenant Helliger identified herself as a police officer, because she thought she would be extended a courtesy, and the Grants would move their cart. However, it had the opposite effect. Chad Grant was angry that a police officer spoke to him with a “nasty” tone and insisted on parking in that space when there were numerous other spaces available. He felt that because she was a police officer, she felt she had the right to do what she wanted to do.

Lieutenant Helliger entered the store and quickly left when she realized she left her return purchase in the car. She saw Chad Grant taking a picture of her car. In order to avoid further conflict, she could have summoned the extra duty officer or called for a radio car to respond to her location. Instead, Lt. Helliger chose to return to her vehicle and confront the male subject.

In her taped statement, Lieutenant Helliger said she did not approach the male subject but passed by him in order to return to her vehicle. When she passed him, he placed his cell phone in her face. This statement is inconsistent with what is viewed in the video surveillance footage. Lieutenant Helliger left the store and briskly walked directly up to the male subject. His back was turned to her as she approached. As he turned towards her, he lifted the phone, and she slapped the phone from his hands.

Lieutenant Helliger violated ***General Order 311, Citizen’s Right to Video***: **It is the policy of the New Haven Department of Police Service to permit video recording of police activity as long as such recording does not interfere with ongoing police activity or jeopardize the safety of the general public or the police.**

Lieutenant Helliger also violated ***Rule 15, Subsection 42***: **No employee of the Department shall engage in any act which would constitute conduct unbecoming an officer.**

Lieutenant Helliger is required as a police officer to treat all members of the public with respect and courtesy and create a positive impression when interacting with members of the public. During her first encounter with the Grants, she identified herself as a police officer

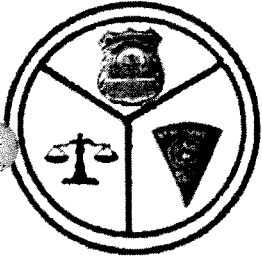
not to stop a crime in progress or effect an arrest, but to ask for special treatment because of who she is. She presented herself not as an ordinary citizen who wanted a space in a shopping lot but as a police officer that is entitled to it. When she exited Walmart, she chose not to avoid a conflict and walk a distance from Chad Grant to return to her vehicle but walked directly up to him and commented on his actions. She was aggressive when she slapped the phone out of Mr. Grant's hands, and this action caused Bianca Grant to step in to defend her brother. The Grants both expressed that her actions diminished the respect and confidence they have for the profession.

Sgt. Rose J. Dell
Investigator (Print)

Sgt. Rose J. Dell 12-8-14
Investigator (Signature and Date)

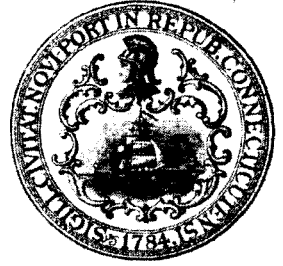
[Signature]
Supervisor (Print)

[Signature]
Supervisor (Signature and Date)



Dean Esserman
Chief of Police

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



Toni N. Harp
Mayor

To: FILE
From: Sergeant Rose J. Dell *RJD*
Date: October 24th, 2014
RE: *Internal Affairs Case: 086-14-I*

On October 24th, 2014, I spoke to Sergeant Minardi about whether we should present this case to the State's Attorney's Office to be reviewed for criminal prosecution of any or all of the involved parties. Sergeant Minardi spoke to Assistant Chief Vazquez who told him not to pursue this course of action.