



HAMDEN POLICE DEPARTMENT

2900 Dixwell Avenue • Hamden • CT 06518
Telephone (203) 230-4015 • Fax (203) 288-4876 • Email jcappiello@hamdenpd.com

John Cappiello
Acting Chief of Police



November 19, 2019

Michael Iezzi
Chair
Hamden Police Commission
Town of Hamden
2750 Dixwell Avenue
Hamden, CT 06518

Dear Commissioner Iezzi,

I am forwarding departmental charges to the Board of Police Commissioners ("BOPC") that have been preferred against Officer Devin Eaton for his actions and conduct during an incident that occurred on April 16, 2019. These charges were brought against Officer Eaton on November 15, 2019 after an investigation by the Ethics and Integrity Unit.

The alleged violations of Hamden Police Rules and Regulations lodged against Officer Eaton and being referred to the BOPC are outlined as follows:

Article 1.00 Conduct Unbecoming as it pertains to Law Enforcement Code of Ethics—"Canons of Police Ethics" Article 4 "Utilization of proper means to gain ends" which states "The law enforcement officer shall be mindful of his/her responsibilities to pay strict heed to the selection of means in discharging the duties of office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong. They are self-defeating in that their activities instill in the public mind a like disposition. Employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it". Officer Eaton firing thirteen (13) gunshots, eight (8) of which were fired into the passenger side of the vehicle, striking Stephanie Washington. There was no information that Washington was armed or considered a threat to public safety. In addition, Officer Eaton recklessly fired gunshots while seeking cover, one of which struck another police officer. As a result of Officer Eaton's actions Washington suffered serious injuries and was hospitalized.

Article 1.00 Conduct Unbecoming as it pertains to Law Enforcement Code of Ethics—"Canons of Police Ethics" Article 8" Conduct in arresting and dealing with law violators" which states "Law enforcement personnel shall use their powers of arrest strictly in accordance with the law

and with due regard to the rights of the citizen concerned. Their office gives them no right to prosecute the violator nor to mete out punishment for the offense. Law enforcement personnel, at all times, have a clear appreciation for their responsibilities and limitations regarding detention of the violator. Personnel shall conduct themselves in a manner that will minimize the potential for having to use force. To this end, law enforcement personnel shall cultivate a dedication to the service of the people and the equitable upholding of laws whether in the handling of law violators or in dealing with the law abiding". Officer Eaton's failure to notify Central Communications and/or brother/sister officers of his location and the probability that he had located the occupied suspect vehicle. In addition, Officer Eaton's failure to utilize his training, specifically, "high-risk" motor vehicle stops, clearly placed himself and others in danger. His reckless disregard of police tactics and training unnecessarily increased the potential use of deadly force.

Article 1.00 Conduct Unbecoming- This pertains to Officer Eaton's failure to notify a supervisor that he was entering another jurisdiction. His failure to notify Central Communication and/or brother/sister officers that he had located the occupied suspect vehicle. His reckless disregard for police training that he received. His reckless disregard for his surroundings, specifically firing several gunshots into the passenger side of an occupied vehicle, knowing that a front passenger was observed moments earlier. His reckless discharge of a firearm while running for cover.

Article 4- "Neglect of Duty:

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains to Sergeant Raymond Quinn's instruction regarding "Use of Force". Sergeant Quinn gave verbal directives on at least 2 occasions regarding the discharge of an officer's firearm and their field of fire.

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains Officer Eaton violating Hamden Police Department General Orders- Policy Number: 020-002- Title: Motor Vehicle Stops

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains Officer Eaton violating Hamden Police Department General Orders- Policy Number :001-006- Title: Use of Force

4.24 "Performing assigned duties of other official work in a careless or negligent manner or in disregard of proscribed procedures and established practices". This pertains to Officer Eaton's careless and negligent actions, specifically shooting eight (8) times through the passenger side of the vehicle, when he was aware that a passenger (Stephanie Washington) was inside. Resulting in injuries to the passenger. Furthermore, Officer Eaton fired two (2) times while running away from the vehicle striking Officer Terrance Pollock in foot/ankle.

4.25 "Failure to observe Department procedures outlining safety practiced or adhere to established practice relating to safety". This pertains to Officer Eaton failing to notify Central Communications immediately when he thought he had observed the vehicle. In addition, Officer Eaton failed to use proper tactics, (parking nearly door to door) when dealing with a potential armed subject, putting himself.

Article 5- "Use of Force and Firearms Discharge"

5.01 "Intentional, unnecessary, or excessive use of force in effecting an arrest, or in the performance and execution of other official duties". This pertains to Officer Eaton firing thirteen (13) times at an unarmed suspect, shooting a passenger (Stephanie Washington who moments earlier had been seen) in the vehicle by Officer Eaton and firing recklessly while fleeing on foot, injuring Officer Terrance Pollock.

5.02 "Intentional, flagrant or wanton disregard of Department firearms guidelines". This pertains to Officer Eaton firing recklessly, with disregard to the residential surroundings.

I am forwarding these Departmental charges brought against Officer Eaton to the Board of Police Commissioners in accordance with the Department's Rules and Regulations, as well as article forty-six (46) "Discharge and Discipline" of the collective bargaining agreement. These charges represent serious allegations of violations of Department Rules and Regulations, and I am recommending that if these charges are sustained that Officer Eaton be terminated.

Sincerely,



John Cappiello
Acting Chief of Police

CC: Deputy Chief Bo Kicak
Captain Ronald Smith, Ethics and Integrity Unit
Ronald Glifort, Police Union President
Officer Devin Eaton
Personnel File
Ethics and Integrity Unit file #19-12



HAMDEN POLICE DEPARTMENT

2900 Dixwell Avenue • Hamden • CT 06518
Telephone (203) 230-4015 • Fax (203) 288-4876 • Email jcappiello@hamdenpd.com

John Cappiello
Acting Chief of Police



November 15, 2019

Officer Devin Eaton
Hamden Police Department
2900 Dixwell Ave.
Hamden, CT. 06518

Dear Officer Eaton:

I regret to inform you that due to your actions on April 16, 2019, formal charges are being brought against you.

On April 26, 2019, the Ethics and Integrity Unit was assigned to conduct a comprehensive investigation into this incident. As a result, you are hereby charged with the following violation of the Hamden Department of Police Rules and Regulations:

Article 1.00 Conduct Unbecoming as it pertains to Law Enforcement Code of Ethics-“Canons of Police Ethics” Article 4 “Utilization of proper means to gain ends” which states “The law enforcement officer shall be mindful of his/her responsibilities to pay strict heed to the selection of means in discharging the duties of office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong. They are self-defeating in that their activities instill in the public mind a like disposition. Employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it”. Officer Eaton firing thirteen (13) gunshots, eight (8) of which were fired into the passenger side of the vehicle, striking Stephanie Washington. There was no information that Washington was armed or considered a threat to public safety. In addition, Officer Eaton recklessly fired gunshots while seeking cover, one of which struck another police officer. As a result of Officer Eaton’s actions Washington suffered serious injuries and was hospitalized.

Article 1.00 Conduct Unbecoming as it pertains to Law Enforcement Code of Ethics-“Canons of Police Ethics” Article 8” Conduct in arresting and dealing with law violators” which states “Law enforcement personnel shall use their powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. Their office gives them no right to prosecute the violator nor to mete out punishment for the offense. Law enforcement personnel, at all times, have a clear appreciation for their responsibilities and limitations regarding detention of the violator. Personnel shall conduct themselves in a manner that will minimize the potential for having to use force. To this end, law enforcement personnel shall cultivate a dedication to the service of the people and the equitable upholding of laws whether in the handling of law violators or in dealing with the law abiding”. Officer Eaton’s failure to notify Central Communications and/or brother/sister officers of his location and the probability that he had located the occupied suspect vehicle. In addition, Officer Eaton’s failure to utilize his training, specifically, “high-risk” motor vehicle stops, clearly placed himself and others in danger. His reckless disregard of police tactics and training unnecessarily increased the potential use of deadly force.

Article 1.00 Conduct Unbecoming- This pertains to Officer Eaton's failure to notify a supervisor that he was entering another jurisdiction. His failure to notify Central Communication and/or brother/sister officers that he had located the occupied suspect vehicle. His reckless disregard for police training that he received. His reckless disregard for his surroundings, specifically firing several gunshots into the passenger side of an occupied vehicle, knowing that a front passenger was observed moments earlier. His reckless discharge of a firearm while running for cover.

Article 4- "Neglect of Duty:

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains to Sergeant Raymond Quinn's instruction regarding "Use of Force". Sergeant Quinn gave verbal directives on at least 2 occasions regarding the discharge of an officer's firearm and their field of fire.

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains Officer Eaton violating Hamden Police Department General Orders-Policy Number: 020-002- Title: Motor Vehicle Stops

4.07 "Negligent failure to comply with any lawful orders, general orders, directives, regulations, oral or written" This pertains Officer Eaton violating Hamden Police Department General Orders-Policy Number :001-006- Title: Use of Force

4.24 "Performing assigned duties of other official work in a careless or negligent manner or in disregard of proscribed procedures and established practices". This pertains to Officer Eaton's careless and negligent actions, specifically shooting eight (8) times through the passenger side of the vehicle, when he was aware that a passenger (Stephanie Washington) was inside. Resulting in injuries to the passenger. Furthermore, Officer Eaton fired two (2) times while running away from the vehicle striking Officer Terrance Pollock in foot/ankle.

4.25 "Failure to observe Department procedures outlining safety practiced or adhere to established practice relating to safety". This pertains to Officer Eaton failing to notify Central Communications immediately when he thought he had observed the vehicle. In addition, Officer Eaton failed to use proper tactics, (parking nearly door to door) when dealing with a potential armed subject, putting himself.

Article 5- "Use of Force and Firearms Discharge"

5.01 "Intentional, unnecessary, or excessive use of force in effecting an arrest, or in the performance and execution of other official duties". This pertains to Officer Eaton firing thirteen (13) times at an unarmed suspect, shooting a passenger (Stephanie Washington who moments earlier had been seen) in the vehicle by Officer Eaton and firing recklessly while fleeing on foot, injuring Officer Terrance Pollock.

5.02 "Intentional, flagrant or wanton disregard of Department firearms guidelines". This pertains to Officer Eaton firing recklessly, with disregard to the residential surroundings.

This investigation is being forwarded to the Hamden Police Commission for adjudication with my recommendation that if the charges are sustained that you be terminated.

You will be notified by the Hamden Police Commission of your hearing date.

Sincerely,



John Cappiello
Acting Chief of Police

Cc: Ronald Glifort- Police Union President