

Executive Summary
Incident Review Panel

I# 19-1022-0063

July 07, 2020

Prepared by Captain Thomas Barcello- Panel Coordinator

Panel Members:

Police Commissioner Robert Figueroa

State Representative Patricia Billie Miller

Pastor Robert Jackson- Bethel AME Church

Program Director Maryellen Estrada- Stamford Alternative in the Community

Lieutenant Louis DeRubeis

Sergeant Jennifer Pinto

Officer Christopher Terrell

Officer Adriana Molina

Meeting Dates:

January 14, 2020

March 05, 2020

March 12, 2020

This Executive Summary is a product of the Incident Review Panel. The summary reflects the discussions held by the panel, which was convened by Acting Chief Thomas Wuennemann to solicit community input. Chiefs' Shaw, Wuennemann, and I would like to thank the panel for their hard work and commitment.

Incident Overview

This Panel and the Stamford Police Department extends its condolences to Steven Barrier's family. To have a young life end early is a tragedy. The panel was tasked to look at the events leading up to his untimely death in an attempt to prevent a similar event from happening.

The Stamford Police Department has a formal process for the review of Deadly Force. The Deadly Force Review only calls for 1 person from the public, a Police Commissioner, to be on the on the Review Board. This incident did not involve the use of deadly force, but Steven Barrier died on 10/23/2019 while in police custody. However, Acting Chief Thomas Wuennemann assigned me the task of forming a review panel with greater public input. This is the first "In Custody Death" Incident Review Panel conducted by the Stamford Police Department. This panel included not only 1 Police Commissioner, but also 3 members of the public.

Meetings were conducted in person at the Police Department, 725 Bedford Street, Stamford CT. The panel was able to review the different facets of the incident. Access to information included the Police Department's cameras (body worn and headquarters), policies and procedures, 911 audio and texts, Police reports, and outside agency reports.

The panel initially met on January 12, 2020 in which we went over the incident broadly. Since the State's Attorney had not completed his report, the panel did not reconvene until after that was completed on February 12, 2020. The second meeting was on March 05, 2020. The last meeting was conducted on March 12, 2020 while at the same time I was being assigned full time to the Emergency Operations Center for the COVID-19 Pandemic. As the pandemic slowed down, we have now been able to complete this task and present it to the Police Department's newest Chief, Timothy Shaw.

In brief, the original incident was initially called in as Domestic Violence (D/V) offense that officers responded to on 10/22/19. The Domestic incident further evolved into/contained

elements of an Emotionally Disturbed Person (EDP) and a person with medical needs. Officers found that Probable Cause existed for the arrest of Steven Barrier for Domestic Violence offenses. Steven had fled from the home and was not arrested at that moment.

A safety plan was set up with the family including contacting the police if Steven should return. Less than 2 hours later, on 10/23/19, family did text the police when Steven returned. Officers responded a second time and Steven was seen running from the home through several backyards and hopping fences. Officers pursued Steven and found him appearing to be hiding in a heavy brush area on the Home Depot property.

Steven was not combative and was taken into custody. At that moment, he was verbally communicative, and unable to walk as he appeared exhausted from running. Officers carried him down an embankment to a police cruiser. The transporting officer asked if Steven was on some type of drug and if he was to be transported to the hospital. He was informed that there was a mental illness condition and that Steven was to be transported to headquarters. The officer transported him in a cruiser with a plastic partition, to the Police Department for his domestic violence charges.

While being transported, Steven communicated with the transporting officer and asked for the air conditioning to be turned on. The officer rolled down the window to get him some air. When taking him out of the cruiser at headquarters, officers found that Steven had lost consciousness. He was carried into a holding area in the jail and evaluated. Officers reported that Steven had a pulse and was breathing. Emergency Medical Services were called and both Stamford EMS and Stamford Fire Department responded. Internal camera footage shows officers continuing to monitor Steven's condition while waiting for EMS. Steven was further evaluated, given advanced emergency medical care, and transported to Stamford Hospital. Steven passed away while at Stamford Hospital.

Panel Parameters

The panel was set up with the following parameters:

Goal

To evaluate the incident and suggest ways to improve the agency's response to critical incidents. Also, to identify any changes that may help avoid identified problems in the future.

Identify:

- Training needs
- Policy and/or Procedure needs/adjustments
- Areas on which to focus and improve when responding to future incidents
- Tools/skills/training to do the job requested/expected of Officers
- Mental Health resources that are currently available and needed

Type of Incident:

Initial- Domestic Violence

Evolved into/contained:

- Assault Arrest
- Emotionally Disturbed Person
- Medical

Scope of Panel:

- Handling of the Incident
- Safety
- Tactical considerations / Patrol Procedures
- Supervision
- Communications / Intelligence
- Community Relations
- Policies
- Training considerations
- Equipment

Issues, Recommendations, and Points of Discussion

Below will be some of the recommendations that the panel thinks should be put in place. There are other ideas that can be explored. These recommendations are made without regard to financial limits or constraints. The recommendations come from forward thinking, practical solutions, and ideas that need to be further discussed.

While many issues were discussed, Medical Care and Mental Health were at the forefront.

Medical Care

Officers are trained to have a situational awareness when engaged in police duties. Once scene safety is achieved, officers should be cognizant of the need for potential medical attention and be ready to transition into that role.

The City relies on both SEMS and SFD to be Medical First Responders. While Steven was in the holding area of the PD, an Officer called for EMS via radio as he could see that Steven was unresponsive. The Officer performing the assessment sat Steven up and found that he had a pulse and was breathing. As seen on video, Officers continued to monitor his condition.

While in the holding area, officers were assessing the medical condition of Steven, but coming up with conflicting ways to potentially address it. There was a lack of consensus on what to do until medical first responders arrived. No one there immediately assumed command of the incident. One supervisor peered in, but did not intervene further. Another one gave an update to the commanding officer, assisted in maintaining an airway, and monitored his condition.

Additionally, the panel does note the following recommendations or considerations:

- That all officers should be at least Cardiopulmonary Resuscitation (CPR) certified. It is recommended that there should be follow up training so that officers can maintain proficiency. (Note: Roll Call Training has been conducted)
- That an Automatic External Defibrillator (AED) be placed at or near the Jail area. (Note: This has been completed)
- That the Department consider maintaining Emergency Medical Response (EMR) certifications for the entire department. Officers are certified in their basic training at the Police Academy then this certification is allowed to expire. There is a need for basic first aid as officers are First Responders to emergency situations.
- That there be a point person(s) as an Emergency Medical Technician (EMT), potentially the jailers as they are in most contact with those in custody.
- That individuals taken into custody be medically evaluated prior to transporting to jail after some type of strenuous activity (foot pursuit) or stressful event.

Mental Health

Mental Health assistance should be provided early on in an incident. The PD used to have great access to the State Mobile Crisis Unit and had great success with Dr. Turner. Consider dispatching a Mobile Crisis Unit along with the Police to those calls involving mental health. The protocols should be looked at when taking the call for service. Similar to Emergency Medical Dispatch (EMD), call takers should ask if there are any mental health issues or if there are any medications being taken. This would have to be HIPAA compliant.

To further serve the public, the PD should have a dedicated person(s)/team for mental health. The person or unit would have the task of ensuring a continued alliance with the mental health providers. They would have the intimate knowledge of those individuals in need in our City. They would assist Officers on how to handle situations involving mental health. The person or unit should have a working relationship with Stamford's long-established Community Care Team (CCT) including attendance to a weekly provider meeting. The group is comprised of over 60 community-based organizations that include mental health service providers, substance treatment providers, courthouse personnel, and supportive housing providers.

Another consideration is to have more officers certified as part of the Crisis Intervention Team (CIT). It is understood that this is an expensive measure as it is a weeklong course, but that the City and the residents would benefit greatly from it. As more CIT officers are trained, the odds of recognizing an individual in distress will increase. This would lead to earlier interventions and bringing a person to the hospital or other appropriate place sooner. One standard could strive to be that X number of CIT Officers are working a shift or assigned to a squad (similar to translators). At our peak, the PD had 152 officers CIT certified. With retirements, we are down to 82. (Note- Currently 16 officers are being trained. By the end of 2020, a total of 40 additional officers should be trained.)

Lastly, knowing that this idea needs to be looked into further, a consideration of some type of "Safe House" or "Step Back" place. The thought would be some type of temporary environment to allow individuals to remove themselves from the stressors that might be present in their home environment. Ideal duration would be not more than two to four days. Professional staff would monitor the clients in a calm, comfortable setting and be able to link individuals and their family members to longer-term supportive services in the community. This site could be used when someone is appropriate to be released from the hospital but stressors of the household environment remain high and would be considered a "respite" site. The idea is not foreign; think of Kids in Crisis housing or even D/V shelters.

Policies

The panel concluded that there is a great need to review and update the PD policies. While the PD does have a policy of sending 2 officers and a supervisor to calls involving Emotionally Disturbed Persons, there needs to be a written policy on Mental Illness. Further, policies should be created that are forward looking and relevant to recently identified issues. Lastly, there should be an established interval, for example every 3 - 5 years, that policies should be reviewed and/or revised. (Note- Fiscal Year 2020/2021, an outside consultant has been contracted to update the policies.)

Body Worn Cameras (BWC's)

Body Worn Cameras (BWC's) are relatively new at the Stamford Police Department. The policy related to them, # 741, was put in place on 3/19/2018. The panel had discussion on the penalties for violations of the policy. We did see that not all Police Officers had them activated when they should have. We also found that the agency itself failed by not providing training "at least annually" as per the policy. There should be a corrective action plan in place to ensure that the cameras are on at all times.

Officers need to do several things. First, turn the cameras on. Also, be mindful that the cameras are on and act naturally. Officers need to be cognizant that their language and actions need to be respectful to the community. Offensive or harsh language can escalate a minor situation. Officers need to understand the importance of language and be reminded of the Golden Rule: Treat others, as you would like to be treated. Lastly, Officers may want to consider more verbalization as the camera may not capture all they personally are seeing.

To be noted when it comes to camera views and angles:

- The overhead holding cell camera gives a different perspective versus the BWC's. It shows more of the officers' interaction with Steven.
- The panel found that there was a different perspective in viewing the BWC and the actual distance from the sally port to the holding area. Once you physically walk it, it does not seem as long as it appears on the camera.

Community Relations

- The Department should communicate the measures put in place since this incident took place.
- Consider implementing a Citizen Review Board similar to this Incident Review Panel to review issues. While there is a Police Commission, it would be beneficial for the community to see accountability within the department.
- Ability to text 911: Consider a public service announcement/campaign as the public may not know this ability exists. Further, check on the speed of the texting technology as it seems there may have been some lag time in this incident. Lastly, check on the capability of Wi-Fi phones to text 911.
- Let the public know our Operating Procedures. Ex. How we respond to calls (use of lights and sirens)
- Inform the public why we do some of the things we do. Ex. Domestic Violence-mandatory arrests
- Consider running more Public Safety Academies

Other Items

- The panel feels there is a need to increase the training budget. While CT may be ahead of the rest of the country, the demands on the officers in technical knowledge and practical skills is high. Officers need to be trained more and have on-online access to the information, knowledge, and/or classroom. Something to consider is to have online classes or previously recorded classes that officers can review outside a formal classroom setting.
- Venting for cruisers: The officer conducting the transport put the window down for fresh air ventilation. Evaluate the rear compartment area of cruisers so that better airflow is achieved without opening windows.
- The panel felt that there should have been notification to the family regarding Steven's sudden death. (Note- On 10/30/19 Chief Wuennemann and Director Jankowski met with Hospital staff regarding notifications of family members. It was decided that when possible, notifications would be done in person.

Final Note

On Tuesday June 23, 2020, the panel met with Chiefs' Shaw and Wuennemann in Police Departments' Community Room. The findings and recommendations were presented to the Chiefs'. All were able to have an open dialog so that department can move forward in a productive and progressive manner.

Respectfully submitted,



Captain Thomas Barcello # 9777